

BOARD OF SUPERVISORS
Yolo County, California

Meeting Date: August 26, 2025

To: Comm. Svcs. ✓

37.

Receive an update from Yolo County Environmental Health on agricultural well permitting and options to address concerns with the current process, including a potential 45-day moratorium on new agricultural wells in the Focus Areas; provide feedback on proposed changes to the well permitting procedures under Urgency Ordinance No. 1569; consider a proposed 45-day moratorium and, if the Board opts to proceed, introduce by title only, waive further reading of, and adopt an urgency ordinance entitled, "An Interim Urgency Ordinance of the Yolo County Board of Supervisors Establishing a Temporary 45-Day Moratorium on the Approval of New Agricultural Water Well Permits in the Yolo Subbasin Groundwater Management Agency's Focus Areas, with Specified Exemptions, pending the County's Study and Consideration of Well Permit and Crop Conversion Regulations;" adopt a Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) based on CEQA Guidelines, Sections 15060(c)(2), 15061(b)(3), and 15306 (Class 6); set a noticed-public hearing on October 7, 2025, or on another date within 45-days of adoption, to consider whether to extend the 45-day moratorium and whether to modify and extend Urgency Ordinance No. 1569 for non-Focus Area agricultural well permits; and provide direction to staff regarding formation of a Working Group consisting of key stakeholders, such as the Yolo Subbasin Groundwater Agency (YSGA), Farm Bureau, well drillers and concerned citizens, to work with staff on proposed changes regarding well permitting and crop conversions in the Focus Areas. (No general fund impact) (4/5 vote required) (Cormier/Meneghetti/Hood) (Est. Staff Presentation: 10 min)

Written comments from Annie Main, Yolo Concerned Citizens, Craig McNamara, the Yolo County Farm Bureau, Ricardo Amon, Lynne Nittler, Jackie Lundy, Rick Johnston, Lee Smith, Jose Garcia, Alan Prior, Chair, Sierra Club Yolano Group, Scott Steward, Linda Bell, Katherine and George Spanos, Barbara Gemmill-Herren, LeAnn Herigstad, and Nancy T. Price, David Runsten, Heather Caswell, Barbara Clutter, Community Alliance with Family Farmers, David Sandino, Rachael and David Long, Russell Frink, Paul Muller and Nancy Lea were placed into the record. Additionally, Annie Main, Jackie Lundy, Catherine Van Dyke, Garrett Driver, Ricardo Amon, Jose Garcia and Scott Steward addressed the Board of Supervisors on this item.

Minute Order No. 25-66: Approved recommended actions by **Ordinance No. 1576**, which also includes an additional recommendation for staff to determine the additional resources that may be needed.

MOVED BY: Frerichs / SECONDED BY: Barajas

AYES: Allen, Barajas, Villegas, Frerichs, Vixie Sandy.

NOES: None.

ABSTAIN: None.

ABSENT: None.



Regular-Community Services 37.
Environmental Health

Board of Supervisors

Meeting Date: 08/26/2025
Brief Title: Agricultural Well Permitting Update
From: Stephanie Cormier, Interim Director, Department of Community Services
Staff Contact: April Meneghetti, Director, Environmental Health Division, Department of Community Services, x8597

Supervisorial District Impact: Countywide

Subject

Receive an update from Yolo County Environmental Health on agricultural well permitting and options to address concerns with the current process, including a potential 45-day moratorium on new agricultural wells in the Focus Areas; provide feedback on proposed changes to the well permitting procedures under Urgency Ordinance No. 1569; consider a proposed 45-day moratorium and, if the Board opts to proceed, introduce by title only, waive further reading of, and adopt an urgency ordinance entitled, "An Interim Urgency Ordinance of the Yolo County Board of Supervisors Establishing a Temporary 45-Day Moratorium on the Approval of New Agricultural Water Well Permits in the Yolo Subbasin Groundwater Management Agency's Focus Areas, with Specified Exemptions, pending the County's Study and Consideration of Well Permit and Crop Conversion Regulations;" adopt a Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) based on CEQA Guidelines, Sections 15060(c)(2), 15061(b)(3), and 15306 (Class 6); set a noticed-public hearing on October 7, 2025, or on another date within 45-days of adoption, to consider whether to extend the 45-day moratorium and whether to modify and extend Urgency Ordinance No. 1569 for non-Focus Area agricultural well permits; and provide direction to staff regarding formation of a Working Group consisting of key stakeholders, such as the Yolo Subbasin Groundwater Agency (YSGA), Farm Bureau, well drillers and concerned citizens, to work with staff on proposed changes regarding well permitting and crop conversions in the Focus Areas. (No general fund impact) (4/5 vote required) (Cormier/Meneghetti/Hood) (Est. Staff Presentation: 10 min)

Recommended Action

- A. Receive a staff presentation and public comment regarding the current well permitting procedures and options to address concerns with the current process, including a potential 45-day moratorium on agricultural well permits in the YSGA Focus Areas;
- B. Provide feedback on proposed changes to the well permitting procedures under Urgency Ordinance No.1569;
- C. Consider adoption of a temporary 45-Day Moratorium on the approval of new agricultural water well permits in the Yolo Subbasin Groundwater Agency's Focus Areas;
- D. If the Board opts to proceed with the proposed 45-day moratorium, introduce by title only and waive further reading of "An Interim Urgency Ordinance of the Yolo County Board of Supervisors Establishing a Temporary 45-Day Moratorium on the Approval of New Agricultural Water Well Permits in the Yolo Subbasin Groundwater Management Agency's Focus Areas, With Specified Exemptions, Pending the County's Study of and Consideration of Well Permit and Crop Conversion Regulations" (Attachment A);
- E. Determine adoption of the ordinance is exempt from CEQA pursuant to CEQA Guidelines, Sections 15060(c) (2), 15061(b)(3), and 15306 (Class 6);
- F. Adopt the proposed urgency ordinance and set a noticed public hearing on October 7, 2025, or on another date within 45 days of adoption, to consider whether to extend the 45-day moratorium and whether to modify and extend Urgency Ordinance No. 1569 for Non-Focus Area agricultural well permits; and

- G. Consider and provide direction to staff regarding formation of a Working Group consisting of key stakeholders, such as the YSGA, Farm Bureau, well drillers, and concerned citizens, to work with staff on proposed changes regarding well permitting and crop conversions in the Focus Areas.

Strategic Plan Goal(s)



Thriving Residents



Collaborative Community



Sustainable Environment



Flourishing Agriculture

Reason for Recommended Action/Background

The approval of well permits, particularly new agricultural well permits, has been an important issue in the County over the past four years. The 2020-2022 drought and related Executive Orders issued by the Governor led the County and the Yolo Subbasin Groundwater Agency (YSGA) to adopt additional well permitting measures to protect groundwater resources and the identification of "Focus Areas" where groundwater levels have shown potential downward trends, rural residential wells have experienced issues, and groundwater data gaps exist to better understand hydrological conditions in particular areas within the Subbasin. (Attachment B -- Focus Area Map.)

This staff report reviews the history and revisions to the County's well permitting process over the past few years, including the interim agricultural well permitting process the Board has implemented in the unincorporated areas of the County, with the adoption of Urgency Ordinance No. 1569, which currently expires on October 31, 2025, along with proposed options for the Board to consider to Urgency Ordinance No. 1569 procedures based on its application to date (e.g., verification of pumping capacity, requiring meters on new wells, and revising the well permit appeal process). The report concludes with an overview of a proposed 45-day moratorium on the approval of agricultural well permits in the Focus Areas to address additional groundwater concerns in the Focus Areas related to the increased conversion of previously dry-farmed lands to irrigated, perennial crops.

Although wells in the Yolo Subbasin have shown significant recovery in many areas of the County, that has not been the case in all areas and concerns remain regarding groundwater sustainability with the hardening of water demand for irrigation needs with the continued development of perennial crops. These concerns were most recently highlighted with the recent approval of five wells in the Focus Areas to irrigate new perennial crops while the models used to provide a better understanding of the Yolo Subbasin's sustainable yield continue to be improved. As a

result, a proposed 45-day moratorium is being presented for the Board's consideration that would prohibit the approval of new agricultural well permits in the Focus Areas with the anticipated consideration of an extension of the moratorium for an additional 10 months and 15 days following a noticed, public hearing on October 7, 2025. The proposed moratorium would allow additional time to consider whether updates to County zoning regulations or further changes to the well permit process are warranted in Focus Areas related to crop conversions that result in a hardening of demand for groundwater resources.

A. Background on Current Agricultural Well Permitting Process

Yolo County Environmental Health (YCEH) is responsible for issuing well permits in the County. Prior to March 2022, YCEH decided applications by applying the minimum well standards established in Title 6, Chapter 8 of the Yolo County Code of Ordinances (YCC), which are based upon the well construction standards required by the California Department of Water Resources' (DWR) Bulletin 74.

Following a third consecutive dry winter, Governor Newsom issued Executive Order (EO) N-7-22 on March 28, 2022, which required additional review and analysis of applications for groundwater well permits. On February 13, 2023, EO N-7-22 was replaced by EO N-3-23, although key elements of the original EO in regard to well permits were unchanged and remained in effect. In particular, the EO required review by the YSGA for consistency with Groundwater Sustainability Plan and further required the County as the permitting agency to determine that the proposed well was (1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure before the well permit could be approved. Governor Newsom terminated the EO well permit requirements on September 5, 2024.

On October 22, 2024, the Board of Supervisors approved Urgency Ordinance No. 1569 to continue the well permitting requirements that YCEH and the YSGA adopted to meet the requirements of the EOs, pending completion of long-term well ordinance updates. Under Urgency Ordinance No. 1569, similar to the prior EO requirements, an agricultural well permit application in the unincorporated area of the County must also demonstrate that a proposed well is unlikely to interfere with the function and operation of nearby wells. This can be demonstrated in either of two ways:

1. The new well must meet the required distances from nearby active wells shown in Table 1 of the Urgency Ordinance. These distances are based on the pumping capacity of the new well. This table was developed by LCSE as part of the TM process.
2. Applicants can submit a report by a licensed professional geologist or hydrogeologist that includes technical analysis and justification for why the proposed separation distance is unlikely to impact the function and operation of nearby wells.

Wells not meeting either of these ministerial requirements may apply for a discretionary hardship exemption.

In addition, Urgency Ordinance No. 1569 maintains the practice of routing of well permit applications to YSGA for verification of consistency with its adopted Groundwater Sustainability Plan (GSP).

The adoption of Urgency Ordinance No. 1569 was intended to continue the EO well permitting procedures that have proven to be important to groundwater sustainability efforts and are expected to be included in the anticipated long-term well ordinance update. The County continues to work towards a long-term well permit ordinance update and is awaiting DWR's completion of its updates to Bulletin 74, which was last updated in 1991. The updated Bulletin 74 will be submitted to the State Water Resources Control Board for adoption into a Statewide Model Ordinance. The County's last communication with DWR indicates that the final standards will be published in Summer of 2026.

More information regarding Urgency Ordinance No. 1569 and the history of the EO well permitting procedures can be found in the October 22, 2024, minute order packet (Attachment C).

B. Potential Changes to Urgency Ordinance No. 1569

Urgency Ordinance No.1569 is in effect until October 31, 2025. Staff anticipate returning to the Board of Supervisors in October with a recommended extension of Urgency Ordinance No. 1569 with some potential changes based on Board direction and public input on August 26th.

Staff have identified the following changes for consideration, pending a long-term update to the well ordinance:

1. Permit Appeal Process. The current well ordinance allows "any aggrieved person" to appeal a well permit determination directly to the Board of Supervisors and there is no established fee for an appeal. Staff recommend changing the appeals process for well permits to align with other County land use permit types. For instance, this could result in an appeal first being heard by an administrative hearing officer or the Planning Commission rather than the Board of Supervisors. Urgency Ordinance No. 1569's hardship exemption process may be a viable option for appeals of well permits as well. That process involves an appeal hearing by the Planning Commission pursuant to

the procedures established in Section 8-2.225 of the Yolo County Code of Ordinances. The Planning Commission's decision may be appealed to the Board of Supervisors upon payment of the applicable appeal fees, though the Board may prefer to have the Planning Commission render the final determination regarding a well permit determination. Glenn County recently updated its well permit ordinance with appeals being heard first by an administrative hearing officer who submits written findings and recommendations to the Board of Supervisors. (See Attachment D, 2023 Glenn County Ordinance, Sec. 20.08.200.)

2. Verification of pumping capacity. Staff have identified the following as possible ways to ensure that agricultural wells are pumping at the capacities proposed on their permit application.
 - a. *Guidance from Luhdorff & Scalmanini, Consulting Engineers (LSCE).* YCEH has worked with LSCE to develop guidance when reviewing agricultural well permit applications to determine if a proposed well casing diameter matches the proposed pumping capacity. It is important to note that there are many factors that play a role in this determination. Therefore, this reference document would need to be considered guidance rather than a requirement. However, this suggested change stems from the questions that have been raised about the pumping capacities identified by well drillers in well applications and how to confirm the pumping capacity is reasonable in light of the proposed well casing diameter. (See Attachment E, Draft LSCE Technical Memo re Well Casing Diameter and Pump Capacity Guidance.)
 - b. *Verification after pump installation.* Well drillers and/or property owners could be required to provide a report to YCEH verifying the pumping capacity of the well after the pump is installed and prior to production.
 - c. *Meters for new wells.* New agricultural wells could be required to install meters. The property owners would be required to report this information to either the County and/or the YSGA on an annual basis. This would serve two purposes. It would provide verification that the wells are not pumping more than was indicated on their well permit, and it would assist the YSGA in gathering the data needed in the Focus Area. Staff have been reviewing programs in other counties such as San Luis Obispo County and Sonoma County, but this option will likely require more review and analysis, as well as stakeholder input. (See Attachment F.)

Option requiring more in-depth review and study:

3. Conduct additional hydrogeologic review of proposed new agricultural wells with consultant retained or approved by the County within the Focus Areas to determine the likelihood that extractions from a new well will cause impacts to groundwater levels. This suggested change derived from the review of four recent well permits issued in the Focus Areas that went through the YSGA's 2-tier review process. However, questions were raised during that review regarding the assumptions relied on by the applicant-retained hydrogeologist who prepared the reports that were submitted to the YSGA. Staff are reviewing a similar program in Glenn County that was part of Glenn County's 2023 well permit ordinance update. (Attachment D, Glenn County Ordinance Sec. 20.08.090.)
4. Require use permits or other discretionary review of crop conversions in certain agricultural zones. Currently, the Zoning Regulations do not place any limits on the types of crops on properties zoned for agricultural use and no approval is required to convert dry-farmed land to irrigated crops. As the discussion regarding the proposed moratorium explains, there have been significant increases in the conversion of dry farmed land or previously uncultivated land to perennial crops or other crops that would increase groundwater demands. Initial discussions with Planning staff indicate that this will require an amendment to the Yolo County Code to update the Zoning Regulations, as well as a possible amendment to the General Plan to provide policy direction. Staff have been reviewing programs in other counties such as San Luis Obispo (See Attachment G.)

With each of these options, the Board will need to consider staff and consultant resources required for implementation and possible enforcement.

C. Continued Focus Area Concerns - Temporary 45-Day Moratorium Option

Urgency Ordinance No. 1569's procedures have provided greater consideration of groundwater sustainability concerns on new agricultural wells within the unincorporated areas of the County. However, within the Focus Areas, there remain additional concerns, particularly related to the conversion of dry-farmed lands to irrigated perennial crops (e.g., almonds, pistachios, and olives) that have resulted in calls for a moratorium on new wells in the Focus Areas. As noted in the GSP, "An important feature of land use changes in the Subbasin is an increasing acreage of perennial crops (deciduous, subtropical, and vines), which have partly replaced field crops, and brought previously uncultivated area into production in some regions." Because perennial crops are permanent, they decrease the flexibility of water demand ("demand hardening"). (GSP, Sec. 2.3.2.) The options above for changes to Urgency Ordinance No. 1569 include consideration of longer term changes that take into consideration groundwater demand hardening with conversions to perennial crops, but absent a moratorium or temporary pause on well permits in the interim, new wells would be approved in the Focus Areas where data gaps and groundwater sustainability concerns are of particular concern. As a result, one additional option to consider beyond the proposed changes to Ordinance No. 1569 outlined above is a temporary moratorium on new agricultural wells in the Focus Areas, as provided in Attachment A.

Government Code section 65858 allows the Board of Supervisors to adopt an interim urgency ordinance temporarily prohibiting a land use, without the prior public notice or hearing otherwise generally required for a zoning ordinance amendment. The proposed moratorium imposed may only be in place for 45-days. Extension of the moratorium beyond 45-days would require a noticed public hearing and a further four-fifths vote of the Board of Supervisors.

Following a noticed, public hearing, the moratorium may be extended an additional 10 months and 15 days, and may subsequently be extended an additional year, following an additional noticed public hearing. (Gov. Code, § 65858(a).) Because of the 45-day limit, the noticed, public hearing to continue an extension of the well moratorium in the Focus Areas must be held by October 10, 2025. Accordingly, staff requests that the Board set the public hearing for its regular October 7, 2025, meeting.

Findings supporting a 45-day moratorium on new agricultural wells in the Focus Areas are set forth in the proposed Urgency Ordinance (Attachment A). To summarize, groundwater is a vital resource essential to the health, safety and welfare of the many communities and agricultural areas in the County. Therefore, it is necessary to better understand the impacts of land use changes on groundwater supplies and gather additional information to better inform YSGA and County evaluation of proposed new agricultural wells with an eye towards protecting the sustainability of groundwater resources. Further study of the impacts of the planting of perennial crops on previously non-irrigated lands is critical to determine if further regulations should be implemented with respect to such land use changes to protect against unsustainable groundwater impacts.

Since its adoption of the 2024-tiered review procedures for new wells in the Focus Areas, YSGA has verified 27 well permits, of which 14 were in the Focus Areas. Of those in the Focus Areas, four permits were verified after a Tier 1 review and six were verified following a Tier 2 review. One such review for a replacement well that was approved in the Hungry Hollow area on land that had previously been dry-farmed for many years resulted in an appeal before this Board on April 8, 2025. More information regarding the appeal can be found in the April 8, 2025 minute order packet. Following a Tier 2 review by YSGA, the County approved four additional agricultural wells in Hungry Hollow in May 2025 to irrigate new olive orchards, though stakeholders have raised concerns that the Tiered review process did not consider the particular hydrologic concerns of that area and cumulative impacts such additional wells have on neighboring wells and groundwater sustainability. Currently, there are 20 permits in the YSGA application review queue, 11 of which are within the Focus Areas and all of which indicate they are for irrigation/agricultural purposes. Many of these applications have been in the que for quite some time pending YSGA verification and/or have not met EH requirements.

No limitations exist currently in the County's Zoning Regulations with respect to crop conversions on agricultural zoned-lands. (See, e.g., Yolo County Code, Sec. 8-2.302.) The YSGA continues to improve and enhance its groundwater model to better estimate the Yolo Subbasin's sustainable yield, including enhancements to better forecast land use changes and their impact on water budget, along with additional water budget development for the Hungry Hollow area and have not yet been completed. However, the Hungry Hollow budget development and associated White Paper are not expected to be completed until April 2026. The YSGA is also working on land use model enhancements that are slated for future GSP updates. Completion of the Hungry Hollow budgets is particularly important to shed light on the larger impacts of demand hardening and the YSGA has formed a Hungry Hollow Working Group to further study and recommend management actions. As the Yolo Subbasin GSP notes: "It is important that we invest in future scenario simulations to consider the impact to the overall water budget given the continued land use changes, increases in agricultural development, and new demand on groundwater." (GSP, Preface, p. ii.)

The intent and purpose of the proposed moratorium is to temporarily halt the issuance of new agricultural water well permits in the denoted Focus Areas, including parcels that may be partially included in the Focus Areas. Adoption of the proposed temporary moratorium will maintain the status quo to enable the County and YSGA to study and develop policies and regulations and implement other recommended actions for issuing well permits within the Focus Areas.

D. Formation of a Working Group

Recognizing the complexity and importance of agricultural practices in Yolo County and the impact of changes on the well permitting process or crop conversions, the Board may want to consider forming a Working Group of interested stakeholders such as the YSGA, Farm Bureau, well drillers and concerned citizens, to work with YCEH staff on proposed changes regarding well permitting and crop conversions in the Focus Areas. YSGA has already formed a Hungry Hollow Working Group to recommend projects and management actions to the YSGA's Executive Officer until the YSGA Board of Directors forms a Management Area Public Advisory Committee to take over the duties of the Working Group. (See Attachment H.) This Hungry Hollow Working Group may provide a template for a similar working group to consider well permitting and land use changes. Long term, YSGA is establishing Public Advisory Committees for each of the Yolo Subbasin's six Management Areas to make recommendations to the YSGA Board of Directors regarding projects and management actions specific to each Management Area to help implement the Yolo Subbasin GSP. If the Board is interested in this option, staff can return in October with a proposed outline or charter for such a Working Group.

Documents Incorporated Into This Report

2022 Yolo Subbasin Groundwater Sustainability Plan

YSGA Annual Water Reports

10/27/2023, 11/20/2023, 1/22/2024, and 3/18/2024 YSGA Board of Directors Agenda Materials regarding Focus Areas and well permit review procedures

Hungry Hollow Working Group Charter

1/9/2024, 4/9/2024, 10/22/2024, and 4/8/2025 Board of Supervisors Agenda Materials regarding Well Permits

Stakeholder communications received regarding well permits and Focus Area concerns

Collaborations (including Board advisory groups and external partner agencies)

Staff has collaborated with the Yolo Subbasin Groundwater Agency, the Office of County Counsel, and the County Administrator's Office.

Fiscal Information

No Fiscal Impact

Fiscal Impact of this Expenditure

Total cost of recommended action	\$0
Amount budgeted for expenditure	\$0
Additional expenditure authority needed	\$0
On-going commitment (annual cost)	

Source of Funds for this Expenditure

\$0

Attachments

- Att. A. Interim Urgency Moratorium Ordinance
- Att. B. Focus Area Map
- Att. C. October 22, 2024 Minute Order Packet
- Att. D. Glenn County Well Permit Ordinance
- Att. E. LSCE TM re Casing Diameters
- Att. F. County Monitoring and Meter Program Examples
- Att. G. SLO County Ag Offset Program
- Att. H. YSGA Hungry Hollow Working Group Charter
- Att. I. Notice of Exemption
- Att. J. Presentation
- Att. K. Correspondence from Annie Main
- Att. L. Correspondence from Yolo Concerned Citizens
- Att. M. Correspondence from Yolo County Farm Bureau
- Att. N. Correspondence from Ricardo Amon
- Att. O. Correspondence from Lynne Nittler
- Att. P. Correspondence from Jackie Lundy
- Att. Q. Correspondence from Rick Johnston
- Att. R. Correspondence from Lee Smith
- Att. S. Correspondence from Jose Garcia
- Att. T. Correspondence from Alan Pryor, Chair, Sierra Club Yolano Group
- Att. U. Correspondence from Scott Steward
- Att. V. Correspondence from Linda Bell
- Att. W. Correspondence from Katherine and George Spanos
- Att. X. Correspondence from Barbara Gemmill-Herren
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- Att. BB. Correspondence from David Runsten
- Att. CC. Correspondence from Heather Caswell
- Att. DD. Correspondence from Barbara Clutter
- Att. EE. Correspondence from Community Alliance with Family Farmers
- Att. FF. Correspondence from David Sandino
- Att. GG. Correspondence from Rachel and David Long
- Att. HH. Correspondence from Paul Muller
- Att. II. Correspondence from Russell Frink

Form Review

Inbox	Reviewed By	Date
Kimberly Hood	Kimberly Hood	08/20/2025 12:10 PM
Stephanie Cormier	Stephanie Cormier	08/20/2025 02:03 PM
Phil Pogledich	Phil Pogledich	08/20/2025 05:57 PM
Michael Webb	Michael Webb	08/21/2025 08:41 AM
Berenice Espitia	Berenice Espitia	08/21/2025 10:23 AM
Form Started By: April Meneghetti		Started On: 10/23/2024 09:20 AM
Final Approval Date: 08/21/2025		

ORDINANCE NO. 1576

AN INTERIM URGENCY ORDINANCE OF THE YOLO COUNTY BOARD OF SUPERVISORS ESTABLISHING A TEMPORARY 45-DAY MORATORIUM ON THE APPROVAL OF NEW AGRICULTURAL WATER WELL PERMITS IN THE YOLO SUBBASIN GROUNDWATER MANAGEMENT AGENCY’S FOCUS AREAS, WITH SPECIFIED EXEMPTIONS, PENDING THE COUNTY’S STUDY AND CONSIDERATION OF WELL PERMIT AND CROP CONVERSION REGULATIONS

The Board of Supervisors of the County of Yolo, State of California, ordains as follows:

Section 1. Findings and Purpose.

A. Pursuant to Article XI, section 7 of the California Constitution and 7 may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its citizens.

B. Pursuant to Government Code section 65858, to protect the public safety, health, and welfare, the County may, as an urgency measure, adopt an interim ordinance temporarily prohibiting land uses that may be in conflict with contemplated land use regulations that the County is studying and considering or intends to study within a reasonable time. Such interim ordinances may be effective immediately upon a four-fifths vote of the Board of Supervisors. *See* Gov. Code § 25123(d).

C. In accordance with California Constitution, article XI, section 7, Government Code section 25123(d), and Government Code section 65858, the Board of Supervisors finds that there is a current and immediate threat to the public health, safety, or welfare, and that the approval of additional well permits for agricultural uses without any additional review of conversions to perennial crops on agriculturally-zoned properties within the Focus Areas defined herein would result in a threat to public health, safety, or welfare. This legislative finding is based upon the following factual findings and declarations, as well as the record before the Board of Supervisors, in support of this interim urgency ordinance (“Urgency Ordinance”):

1. SGMA and Creation of the Yolo Subbasin Groundwater Agency

Groundwater is a vital resource and essential to the health and safety of the many areas in the County. On September 16, 2014, Governor Jerry Brown signed three bills into law that are collectively known as the Sustainable Groundwater Management Act (“SGMA”). SGMA provides for local control of groundwater while requiring the sustainable management of groundwater resources. SGMA was adopted, in part, because:

- Groundwater provides a significant portion of California’s water supply and accounts for more than one-third of the water used by Californians in an average year and more than one-half of the water used by Californians in a drought year when other sources are unavailable.

- Excessive groundwater extraction can cause overdraft, failed wells, deteriorated water quality, environmental damage, and irreversible land subsidence that damages infrastructure and diminishes the capacity of aquifers to store water for the future.
- When properly managed, groundwater resources will help protect communities, farms, and the environment against prolonged dry periods and climate change, preserving water supplies for existing and potential beneficial use.

(AB 1739 (2014), uncodified Legislative findings and declaration.)

SGMA required the establishment of local groundwater sustainability agencies with the authority to develop, adopt, and implement a Groundwater Sustainability Plan (“GSP”).

Further, SGMA required the California Department of Water Resources to classify groundwater basins throughout California as “high,” “medium,” or “low” priority. The Yolo Subbasin, which covers nearly all of Yolo County, is classified as a high priority basin. Through the creation of a joint powers agency, of which Yolo County is a member, the Yolo Subbasin Groundwater Agency (“YSGA”) was formed and is the recognized groundwater sustainability agency for the entire Yolo Subbasin and responsible for developing and implementing a GSP. The YSGA adopted a GSP in January 2022. The intent of the GSP is to ensure that groundwater use in the Yolo Subbasin is sustainable and to work within the framework of the GSP and SGMA to ensure a sustainable future for all beneficial users of groundwater in each management area of the Yolo Subbasin.

2. County Well Permits

While the YSGA is responsible for the sustainability of the groundwater basin, the County’s Environmental Health Division (also known as “Yolo County Environmental Health” or “YCEH”) is the local enforcement agency responsible for issuing permits for groundwater wells in the County, including new wells, alterations to existing wells, and replacement wells. YCEH reviews well permits for consistency with the Yolo County Code and other regulatory requirements to protect the quality of groundwater via public health and safety construction standards.

3. Drought & Changes to the Well Permit Process to Comply with the Governor’s Executive Order

On July 27, 2021, the Board of Supervisors adopted Resolution No. 21-98 proclaiming the existence of a local drought emergency. On October 19, 2021, Governor Newsom issued a proclamation extending the drought emergency statewide and further urging Californians to step up water conservation efforts.

Following the third consecutive dry winter, Governor Newsom issued Executive Order (“EO”) N-7-22 on March 28, 2022. The Governor has issued various other executive orders related to the State’s drought conditions, including Executive Order N-3-23 (“EO N-3-23”), which reissued and modified components of the EO and other orders. Recognizing that “coordination between local entities that approve permits for new groundwater wells and local groundwater

sustainability agencies is important to achieving sustainable levels of groundwater, the EO included a provision that required additional review and analysis of applications for groundwater well permits in medium and high priority groundwater basins. As a high priority basin, wells in the Yolo Subbasin, and thus throughout the County were subject to the EO.

Domestic wells and public water supply system wells are exempt from the EOs, so the primary impact of the EOs has been on agricultural, non-domestic well applications.

Section 9a of EO N-7-22, now set forth in Paragraph 4a of EO N-3-23, requires the County to obtain a written verification from YSGA that the proposed well is not inconsistent with any sustainable groundwater management program established in the applicable Groundwater Sustainability Plan adopted by YSGA and will not decrease the likelihood of achieving a sustainability goal for the Yolo Subbasin.

Section 9b of EO N-7-22, now set forth in Paragraph 4b of EO N-3-23, requires that YCEH also determine that the proposed agricultural well is:

- not likely to interfere with the production and functioning of existing nearby wells, and
- not likely to cause subsidence that would adversely impact or damage nearby infrastructure.

On March 24, 2023, as drought conditions eased with record-setting snow and rainfall, Governor Newsom rolled back some provisions of the drought emergency but maintained certain measures to protect lingering water supply effects of the drought with EO N-5-23. Among the emergency provisions that remain are the well permit requirements set forth in paragraph 4 of EO N-3-23. As stated in paragraph 4 of EO N-3-23, “to protect health safety and the environment,” the County is prohibited from issuing well permits subject to the EO without the appropriate verification from the YSGA and determination that the proposed well is not likely to interfere with the production and functioning of existing nearby wells and not likely to cause subsidence.

4. Identification of Focus Areas

Following the issuance of EO N-7-22, County staff collaborated with staff from the YSGA on implementation processes. The YSGA Board adopted Resolution No. 23-01 to formalize the YSGA’s process of completing the GSP consistency review for compliance with the EO’s written verification requirements required for new wells, i.e., that the groundwater extraction by the proposed well would not be inconsistent with the Yolo GSP and will not decrease the likelihood of achieving the YSGA’s sustainability goals for the Yolo Subbasin.

The YSGA, working with hydrogeologists from West Yost, further identified areas of the County called “Focus Areas” that may be sensitive to groundwater pumping and warrant additional information and analysis. The Focus Area Map (the current version of which is attached hereto as **Exhibit A** and incorporated herein) identifies those sites in the Yolo Subbasin where local hydrogeology, data gaps, monitoring trends, or other considerations make it prudent for the agency to collect additional information from applicants prior to issuing a verification under the EOs. Specifically, YSGA’s delineated Focus Areas identified areas where:

- Groundwater levels in Spring 2023 were below the minimum thresholds (MTs) defined in the Yolo Subbasin Groundwater sustainability Plan (GSP).
- Groundwater levels have declined more than 25 feet over 10 years (Spring 2013 – Spring 2023).
- Dry wells and citizen concerns are reported.
- Domestic well densities are high. A 2,000-foot buffer which corresponds to the County’s maximum setback distance requirement (Table 1) was added around areas of high domestic well density.
- Small water systems are present.
- Permeability and recharge potential is low.
- Groundwater data are limited.

The YSGA Board of Directors developed a tiered review process on March 18, 2024 for its review of the wells within these Focus Areas that may be used to provide further direction for the YSGA and the County in establishing long-term well permitting procedures that will maintain sustainable groundwater use.

YCEH also worked with a hydrogeologist from Luhdorff & Scalmanini, Consulting Engineers (“LSCE”), to develop temporary well permit processing procedures to address the new EO requirements, which were most recently updated on March 28, 2024 and approved by the Board of Supervisors for non-exempt wells (primarily agricultural wells) on April 9, 2024. LSCE’s updated Technical Memorandum (the “TM”) required well separation distances based on the data studied by LSCE that would demonstrate a proposed well is unlikely to interfere with the function and operation of existing nearby wells. Alternatively, a well applicant could submit a report prepared by a professional geologist or hydrogeologist (licensed in the State of California) analyzing whether a proposed well is unlikely to interfere with nearby wells. Additionally, the TM outlined the GSA verification review process required by the EO.

5. Lifting of EO Requirements and Adoption of Interim Urgency Ordinance No. 1569

On September 5, 2024, Governor Newsom issued a new Executive Order N-3-24, which ended the drought state of emergency in 19 counties while maintaining it in the remaining 39 counties, including Yolo County, where it continues to support long-term recovery from the driest three-year period on record. As part of EO N-3-24, however, the Governor rescinded certain provisions of prior EOs related to the drought, including the well permitting procedures required by EO N-3-23 (Paragraph 4).

Recognizing the important progress and protections reflected in the EO process developed for new agricultural wells in the County, particularly within the Yolo Subbasin, the Board of Supervisors adopted an interim urgency ordinance, Ordinance No. 1569, on October 22, 2024 to extend the well permitting procedures enacted in compliance with the EOs in the unincorporated areas of the County to protect the public health, safety, and welfare while considering long-term revisions to well permitting regulations. In adopting Ordinance No. 1569, the Board of Supervisors found that the Eos’ interim well permit review process provided additional analysis resulting in the identification of well separation distances to minimize interference with nearby

wells and further resulted in the identification of the Focus Areas to ensure new wells are consistent with the adopted GSP and do not exceed sustainable management criteria established in the GSP.

6. Implementation of the Urgency Ordinance and Continued Concerns in Focus Areas

Since the YSGA adopted its tiered review procedures in March 2024 for new wells in the Focus Areas, it has verified 27 well permits, of which 14 were in the Focus Areas. Of those in the Focus Areas, four permits were verified after a Tier 1 review and six were verified following a Tier 2 review. However, four of the Tier 2 review permits were issued on a single parcel located in Hungry Hollow (partially in the Focus Area) for olive orchards. Additionally, another replacement well was approved to replace a prior well but the use of the prior well raised questions that resulted in an appeal before this Board regarding the conversion of the property on which the replacement well was to be relocated from dry farming uses to olive orchards.

Such changes in agricultural use to perennial crops (e.g., almonds, pistachios, and olives) represented by the recent Focus Area well permit approvals are representative of larger changes observed in the unincorporated areas of the County, and are of particular concern in Focus Areas because the perennial crops have resulted in a hardening of demand for groundwater resources, particularly in dry years when less surface water is available to meet crop demands. As explained in the Yolo Subbasin GSP:

- The Yolo Subbasin GSP includes future projections based on various climate change model simulations to estimate the potential impacts of climate changes to groundwater resources. An important element of the future projections are land use changes. Recently, in the Yolo Subbasin, there has been an increase in total irrigated acres and total perennial acres. This type of land use change can result in an increase and “hardening” of irrigation demand. Unfortunately, due to budget and time constraints, the future model simulations for the Yolo Subbasin GSP did not include land use change forecasts but held the 2016 land use patterns constant into the future. It is important that we invest in future scenario simulations to consider the impact to the overall water budget given the continued land use changes, increases in agricultural development, and new demand on groundwater. We intend to conduct this analysis during the implementation of the GSP and to incorporate the results in the first 5-year update [2027 update] to the Yolo Subbasin GSP. (GSP, Preface, p. ii.)
- An important feature of land use changes in the Subbasin is an increasing acreage of perennial crops (deciduous, subtropical, and vines), which have partly replaced field crops, and brought previously uncultivated area into production in some regions. The Future Baseline and Historical scenarios have the same climate, but different land use inputs; Future Baseline holds 2016 land use constant, while the Historical scenario relies on the historical land use datasets in Table 2-23. Comparing the Future Baseline scenario to Historical demonstrates the impact of the increased perennial acreage in 2016 relative to historical land use data. Perennial acreage is generally associated with more efficient irrigation practices. Because these crops are permanent, they also decrease the flexibility of water demand (“demand hardening”). (GSP, Sec. 2.3.2.)

- The Future Baseline scenario predicts less deep percolation than historically and slightly more outflow than inflow, reflecting increased perennial acreage and changing irrigation management (GSP, Sec. 2.3.5 [explaining key finding for the future average groundwater budgets].)
- Groundwater extraction increases over the past decade were driven by the extended drought and acceleration of perennial acreage. (GSP, Sec. 2.3.6.)
- In the last 15 years in the Dunnigan Hills Management Area (a significant portion of which is within the Focus Areas), many thousands of acres olives, grapes, and almonds have been planted. Many new wells have been drilled to service these new plantings.” (GSP, Sec. 2.4.1.)

In the 2025 Annual Yolo Subbasin Report, YSGA noted with respect to the accuracy of water use estimates that the “largest source of uncertainty is land use data and irrigation applications” and that “[m]odeled water use estimates are highly sensitive to changes in land use and to assumptions about whether crops are fully irrigated or not.”

The YSGA continues to improve and enhance its groundwater model to better estimate the total annual groundwater extracted from the Yolo Subbasin, including enhancements to better forecast land use changes and the impact on the annual water budget. However, the land use model enhancements will not occur until after the 5-year GSP update (2027 update). The YSGA is currently working on developing a water budget and prioritizing projects and management actions for the Hungry Hollow area. Nor do any limitations exist currently in the County’s Zoning Regulations with respect to crop conversions on agricultural zoned-lands. (See, e.g., Yolo County Code, Sec. 8-2.302.) An understanding of the impact of land use conversions and hardening of demand, is critical to determine if further regulations should be implemented with respect to such changes to protect against unsustainable groundwater impacts.

While the 2025 Annual Report indicated groundwater conditions in many areas of the County have continued to display significant recovery and stabilization since the 2020-22 drought, that is not the case throughout the Focus Areas. In the northwestern portion of the area near Dunnigan, some wells are showing a longer-term negative trend. In the areas around Winters and along the western edge of the Management Area lacked the same recovery and some wells are showing a longer-term negative trend. (See Yolo Subbasin GSP: Annual Report 2025, pgs. 21-22.)

There are continued concerns from stakeholders regarding groundwater level declines in Focus Areas where unique hydrogeologic conditions exist, and stakeholders are requesting additional analyses as the County reviews new applications for ag wells. The Board has received substantial correspondence from small farms and rural residents who have experienced dropping groundwater levels in the Focus Areas, particularly in Dunnigan Hills and Hungry Hollow. According to Hungry Hollow residents who have been collecting groundwater data, of 20 landowners, 17 have had to lower their pumps and four have had to replace dry wells in the last 10 years. However, there are currently 19 permits in the application review queue, 11 of which are within the Focus Areas. The conditions in these particular areas and data gaps support the

necessity of gathering additional information to better inform YSGA and the County's evaluation of proposed new ag wells in the Focus Areas without jeopardizing the sustainability of groundwater resources.

Additional requirements on new well permits in the Focus Areas will also be reviewed during the moratorium period. Such requirements may include meters on new agricultural wells, updating the well separation distance tables currently in place under Ordinance No. 1569 to better account for potential pumping capacity based on the proposed well casing diameter, requiring a pump test prior to these wells being placed into production and consideration of use permits, or other such discretionary review of conversions of land use in agricultural zones to perennials crops or other crops that may increase groundwater demands. These potential changes in the permitting process stem from suggestions raised by residents and farmers in the Focus Areas as well as a review of recent well permit approvals, which reflected that actual well characteristics may change some from the initial application, such as depth and pump size, that may impact the well separation distances necessary to protect against impacts to neighboring wells. Such measures will assist with better understanding of pumping demands to minimize the chronic lowering of groundwater levels,, avoids land subsidence, and minimize impacts on neighboring wells.

The intent and purpose of this Urgency Ordinance is to temporarily pause the issuance of new agricultural water well permits in the denoted Focus Areas, including parcels that may be partially included in the Focus Areas, which will maintain the status quo for a brief 45-day period to enable the County to study and develop policies and regulations and implement other recommended actions for well permits within the Focus Areas. This Urgency Ordinance does not prohibit agricultural uses, nor does it prohibit conversion of agricultural lands to perennial crops, but well permits will not be issued while this moratorium is in effect. Absent this Urgency Ordinance, applicants could continue to obtain agricultural water well permits that might exacerbate conditions in the Focus Areas without the appropriate analysis regarding the potential impacts of such additional wells.

Section 2. Moratorium.

The Board of Supervisors hereby enacts this interim Urgency Ordinance pursuant to California Constitution, article XI, section 7, Government Code section 25123(d), and Government Code section 65858, which authorize adoption of an interim urgency ordinance for the immediate preservation of the public peace, health, or safety. The moratorium prohibits the approval or issuance of well permits for new agricultural, non-exempt wells within the Focus Areas of the Yolo Subbasin, as shown on the map attached hereto as **Exhibit A**, for 45-days from the effective date of this Urgency Ordinance, unless this Urgency Ordinance is rescinded or extended by the Board of Supervisors prior to the expiration of the 45-day period. This moratorium only applies to new and pending well permits applications and shall not apply to well permits already approved by the County.

Section 3. Exempt Wells.

A. Exempt Wells

The following wells are exempt from the temporary moratorium:

- Wells producing less than two acre-feet per year for individual domestic water use on the same parcel as the well. Domestic water uses include those non-commercial uses associated with a residential dwelling and related yard, garden, and barnyard uses, and small personal crops within the same parcel as the residential dwelling;
- Public supply system wells as defined in Health & Safety Code § 116275;
- Monitoring wells or other wells not intended for extraction of groundwater;
- Minor alterations of production wells that do not increase the discharge rate for the well or significantly alter the depth interval from which groundwater is extracted with the well. Minor alterations may include activities such as installing casing liners, patches, or other work although such work must not modify the well in a manner that increases the total groundwater pumping capacity;
- Wells located on parcels located entirely outside of the boundaries of the Focus Areas.

Exempt wells and wells not subject to the temporary moratorium located within the unincorporated areas of the County remain subject to Urgency Ordinance No. 1569, as that Urgency Ordinance may be amended or extended.

B. Hardship Exemption

Any person may apply for an exemption from the provisions of this Urgency Ordinance on the grounds of economic or health and safety hardship. Such application shall state the nature of the hardship and the reasons why an exception to this Urgency Ordinance is warranted. The application shall explain the need for the well, whether surface water is an available alternative, and the impact the proposed well may have on surrounding groundwater levels. The application shall state why the delay in pursuing the use until the County completes its evaluation of the regulations, and makes those amendments, revisions, or modifications to the regulations as the Board deems appropriate, would constitute a taking in contravention of the law. The application shall also explain whether there are alternatives to the proposed well that have been investigated and the applicant's opinion of such alternatives. Such explanation shall, if appropriate, be accompanied by technical information to support the explanation. The application for a hardship exemption shall be heard by the Planning Commission pursuant to the procedures established in Section 8-2.225 of the Yolo County Code of Ordinances. The Planning Commission's decision may be appealed to the Board of Supervisors upon payment of the customary appeal fees established for appeals of Planning Commission actions.

Section 4. Savings Clause.

The provisions of this Urgency Ordinance do not apply to the extent that their application would result in a taking requiring compensation, would deprive any person of constitutional or statutory rights or privileges, or would otherwise be inconsistent with State or federal law.

Section 5. Severability.

The provisions of this Urgency Ordinance are separate and severable. If any provision of this Urgency Ordinance is for any reason held by a court to be unconstitutional or invalid, the Board declares that it would have passed this Urgency Ordinance irrespective of the invalidity of the provision held to be unconstitutional or invalid. Such unconstitutionality or invalidity shall

therefore not affect the remaining provisions of this Urgency Ordinance, or the validity of its application to other persons or circumstances.

Section 6. CEQA

The Board of Supervisors finds and determines that this Urgency Ordinance is exempt from the California Environmental Quality Act (“CEQA”) because it is not a project under CEQA as the temporary moratorium on the issuance of well permits will not result in a direct or reasonably foreseeable indirect change in the environment. (CEQA Guidelines, Section 15060(c)(2).) It is further exempt from CEQA pursuant to Section 15306 of the CEQA Guidelines (Class 6 categorical exemption) as an action taken to collect data for research and for information gathering that may lead to an action not yet approved, adopted, or funded. The basis for this determination is that this Urgency Ordinance establishes a temporary moratorium on the approval of permits for certain water supply wells in the Focus Areas to maintain the status quo pending review of potential changes to well permitting procedures and land use regulations related to certain crop conversions. This 45-day moratorium will not result in any significant adverse direct or indirect physical changes to the environment. In addition, this Urgency Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility that this Urgency Ordinance may have a significant effect on the environment. The Director of Community Services or the Director’s designee is directed to file a Notice of Exemption.

Section 7. Effective Date and Term of Temporary Moratorium.

This uncodified Urgency Ordinance shall take effect immediately as an interim urgency ordinance upon its passage by a 4/5 or greater vote of the Board of Supervisors and is applicable to pending well and renewal permit applications, in addition to any new well permit applications received after the effective date of this Urgency Ordinance. This Urgency Ordinance does not apply to any well for which a well permit has been issued by the County prior to the effective date of this Urgency Ordinance. Pursuant to Government Code section 65858, this interim urgency ordinance may have duration of no more than 45 days and may only be extended, following notice and public hearing, for up to 10 months and 15 days. This Urgency Ordinance shall expire 45 days after its adoption without further action by the Board of Supervisors, unless rescinded or extended by the Board of Supervisors prior to expiration.

Section 8. Applications

The County may continue to accept applications for non-exempt well permits in Focus Areas while this Urgency Ordinance is in effect to the extent required by State law. Applications for non-exempt wells within the Focus Areas pending as of the effective date of this Urgency Ordinance will be processed in accordance with the Yolo County Code and Urgency Ordinance No. 1569, as that Urgency Ordinance may be amended or extended. However, all non-exempt well applications received shall only be accepted and processed with the applicant’s acknowledgment and understanding that no permit for a non-exempt well permit in a Focus Area may be issued and no drilling may occur while this temporary moratorium or any extension thereof is in effect. All new and pending well permit applications will further be subject to any new procedures or regulations adopted by the Board of Supervisors governing non-exempt well permits.

Section 9. Written Report.

At least 10 days before this Urgency Ordinance or any extensions expires, the Community Services Director or the Director’s designee shall issue a written report describing the measures taken to alleviate the conditions which led to the adoption of this Urgency Ordinance.

Section 10. Publication.

This Urgency Ordinance or a summary thereof shall be published once within 15 days of its passage or as may otherwise be required by State law.

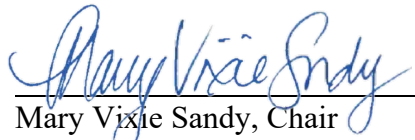
PASSED AND ADOPTED by the Yolo County Board of Supervisors at its regular meeting on August 26, 2025, by the following vote:

AYES: Allen, Barajas, Villegas, Frerichs, Vixie Sandy.

NOES: None.

ABSENT: None.

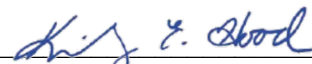
ABSTENTION: None.




Mary Vixie Sandy, Chair
Yolo County Board of Supervisors

Approved as to form:
Philip J. Pogledich, County Counsel

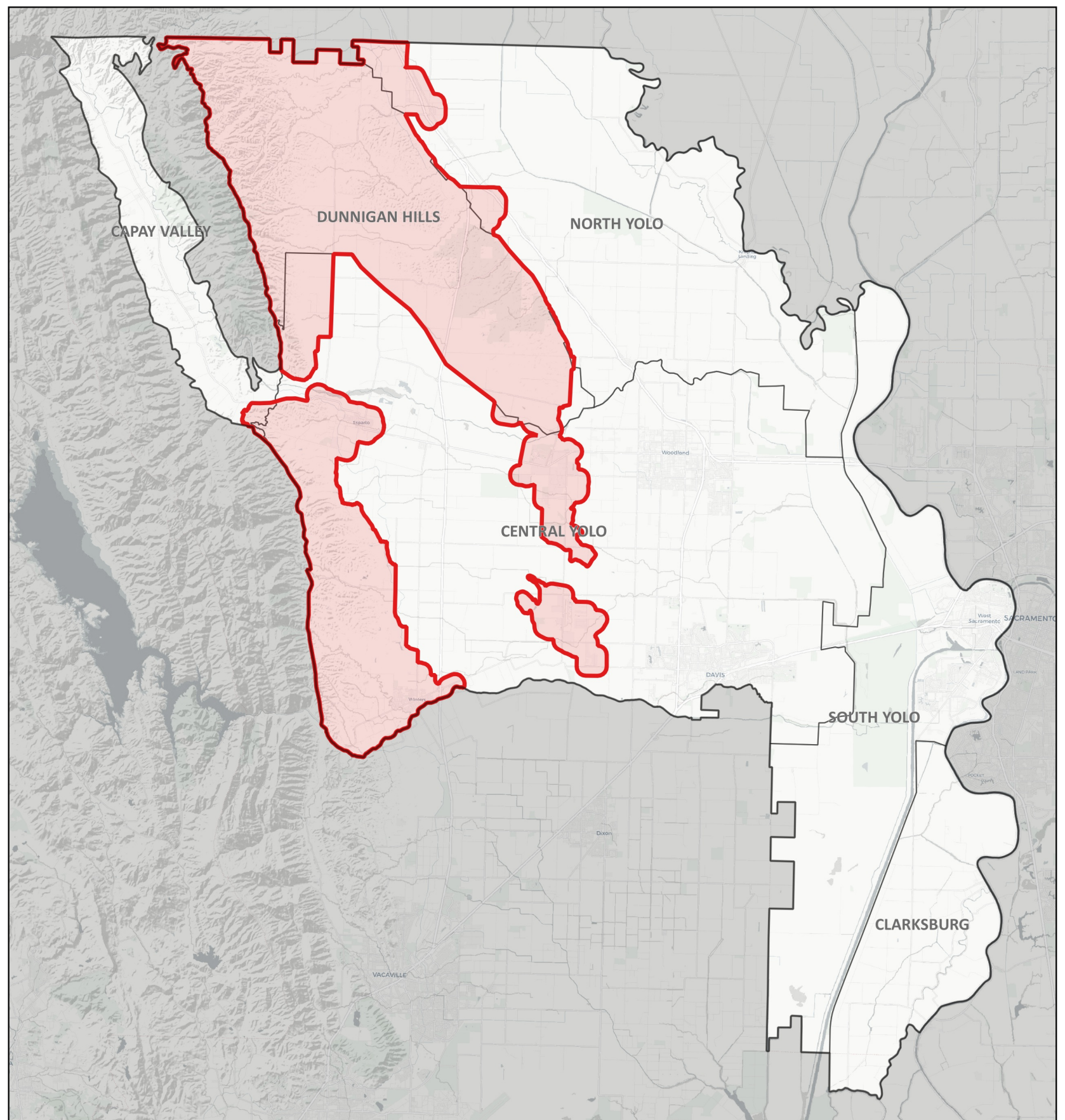
Attest: Julie Dachtler, Senior Deputy Clerk
Yolo County Board of Supervisors

By: 

Kimberly Hood
Chief Assistant County Counsel

By: 

Deputy (Seal)



Legend

- YSGA Focus Areas
- YSGA Management Areas
- Yolo Subbasin Boundary

Data sources:
ESRI (basemap)

CRS:
NAD 1983 California (Teale) Albers



0 5 10 mi



BOARD OF SUPERVISORS
Yolo County, California

Meeting Date: October 22, 2024

To: Comm. Svcs. ✓

35.

Introduce by title only and adopt without further reading an urgency ordinance entitled, "An Urgency Ordinance Temporarily Extending Certain Requirements on the Issuance of Agricultural Water Well Permits in the Unincorporated Area of Yolo County Pending Completion of Long-Term Well Ordinance Amendments," including a determination that adoption of the ordinance is exempt from CEQA pursuant to CEQA Guidelines, Sections 15060(c)(2), 15307, 15308, and 15061(b)(3). (No general fund impact) (4/5 vote required) (Lindbo/Meneghetti/Hood) (Est. Time: 10 min)

Jackie Lundy addressed the Board of Supervisors on this item. Additionally, written comments from Scott Steward, Annie Main, Linda Bell, Juliette Beck and Jackie Lundy were placed into the record.

Minute Order No. 24-101: Approved recommended action by **Ordinance No. 1569.**

MOVED BY: Vixie Sandy / SECONDED BY: Villegas
AYES: Vixie Sandy, Barajas, Villegas, Frerichs.
NOES: None.
ABSTAIN: None.
ABSENT: Provenza.



County of Yolo

www.yolocounty.org

To: The Chair and Members of the Board of Supervisors

Regular-Community Services 35. Environmental Health

Board of Supervisors

Meeting Date: 10/22/2024
Brief Title: Agricultural Well Permitting Urgency Ordinance
From: Leslie Lindbo, Director, Department of Community Services
Staff Contact: April Meneghetti, Director, Environmental Health Division, Department of Community Services, x8597

Supervisorial District Impact: Countywide

Subject

Introduce by title only and adopt without further reading an urgency ordinance entitled, "An Urgency Ordinance Temporarily Extending Certain Requirements on the Issuance of Agricultural Water Well Permits in the Unincorporated Area of Yolo County Pending Completion of Long-Term Well Ordinance Amendments," including a determination that adoption of the ordinance is exempt from CEQA pursuant to CEQA Guidelines, Sections 15060(c)(2), 15307, 15308, and 15061(b)(3). (No general fund impact) (4/5 vote required) (Lindbo/Meneghetti/Hood) (Est. Time: 10 min)

Recommended Action

Staff recommends that the Board:

- A. Introduce by title only and waive further reading of an urgency ordinance entitled, "An Urgency Ordinance Temporarily Extending Certain Requirements On The Issuance Of Agricultural Water Well Permits In The Unincorporated Area Of Yolo County Pending Completion Of Long-Term Well Ordinance Amendments," (Attachment A);
- B. Receive a staff presentation and public comment;
- C. Determine that adoption of the ordinance is exempt from CEQA pursuant to CEQA Guidelines, Sections 15060(c)(2), 15307, 15308, and 15061(b)(3); and
- D. Adopt the proposed urgency ordinance.

Strategic Plan Goal(s)



Collaborative Community



Sustainable Environment



Reason for Recommended Action/Background

A. Groundwater in Yolo County

Yolo County overlaps three groundwater subbasins of the Sacramento Valley Groundwater Basin (Yolo, Solano and Colusa) and includes additional areas outside any designated groundwater basin. The groundwater subbasins overlapping the County primarily include the Yolo Subbasin with small areas within the Solano and Colusa Subbasins. The Yolo and Colusa Subbasins are designated as high priority subbasins by the Department of Water Resources and the Solano Subbasin is a medium priority subbasin.

Through the creation of a joint powers agency, of which Yolo County is a member, the Yolo Subbasin Groundwater Agency ("YSGA") was formed and is the recognized Groundwater Sustainability Agency (GSA) pursuant to the Sustainable Groundwater Management Act (SGMA) for the entire Yolo Subbasin, which covers nearly all of Yolo County. The YSGA adopted a Groundwater Sustainability Plan (GSP) in January 2022 for the Yolo Subbasin that addresses undesirable results related to sustainability indicators consisting of groundwater levels, groundwater storage, groundwater quality, land subsidence, and interconnected surface water.

While the YSGA is responsible for the sustainability of the groundwater basin, the County's Division of Environmental Health (also known as "Yolo County Environmental Health" or "YCEH") is the local enforcement agency responsible for issuing permits for groundwater wells in the County, including new wells, alterations to existing wells, and replacement wells. YCEH reviews well permits for consistency with the Yolo County Code and other regulatory requirements to protect the quality of groundwater for public health reasons and to ensure the safe construction of wells.

B. Drought Executive Orders regarding Well Permits - Requiring Coordination Between the GSAs and the County

Following a third consecutive dry winter, Governor Newsom issued Executive Order (EO) N-7-22 on March 28, 2022, which required additional review and analysis of applications for groundwater well permits. On February 13, 2023, EO N-7-22 was replaced by EO N-3-23, although key elements of the original, in regard to well permits, were unchanged and are still in effect. Included in the EO are requirements that prior to issuing a new water well permit, all well permit applications must be evaluated, and a determination must be made that:

1. The proposed well is consistent with any applicable Groundwater Sustainability Plan (GSP) and will not decrease the likelihood of achieving a groundwater basin sustainability goal, and
2. The well will not likely interfere with the operation and function of existing nearby wells and is not likely to cause land subsidence that impacts nearby infrastructure.

Wells producing less than two acre-feet per year for individual domestic water use and public supply system wells are exempt from the EO. Monitoring wells or other wells not intended for extraction of groundwater, are also exempt from the EO well permitting procedures. The primary impact of the EO has been on agricultural, non-domestic well applications.

The well permitting procedures from EO N-3-23 (and prior to that EO N-7-22) are what prompted YCEH to work with a hydrogeologist from Luhdorff & Scalmanini, Consulting Engineers (LCSE) to develop a Technical Memo (TM) which contains temporary well permitting procedures for agricultural wells which was most recently approved by the Board on April 9, 2024.

The EO well permitting procedures also prompted the YSGA's extensive review process with its own hydrogeologists with West Yost to develop its verification process with the most recent verification process and identification of "Focus Areas" approved by the YSGA Board in March 2024. The Focus Areas were identified using various hydrologic data, reported citizen concerns, and professional judgment by YSGA and its consultant, West Yost, to delineate areas in the Yolo Subbasin that warrant additional information and analysis as part of the YSGA's written EO verification process. YSGA's current Focus Area map is included as Exhibit B to the draft urgency ordinance.

C. Lifting of the EO Well Permit Requirements; Continued Need in Yolo County

On September 5, 2024, Governor Newsom issued a new Executive Order N-3-24, which ended the drought state of emergency in 19 counties while maintaining it in the remaining 39 counties, including Yolo County. This emergency status continues to support long-term recovery from the three driest year period on record. As part of EO N-3-24, however, the Governor rescinded certain provisions of prior EOs related to the drought, including the well permitting procedures required by EO N-3-23 (Paragraph 4). Although the State-wide EO process is no longer mandated, the Governor has maintained the drought state of emergency in Yolo County. Additionally, the EO review process in Yolo County developed with independent hydrogeologists, particularly with the Yolo Subbasin, identified key Focus Areas. Additional public input revealed the need to continue the temporary well permitting procedures implemented under the EO while the County completes longer-term well permit ordinance updates. YCEH is concerned that not continuing with the Board approved temporary well permitting procedures may result in significant irreversible change to groundwater levels. This risk arises if well permits are no longer subject to the separation requirements and coordination with YSGA and the other GSAs implemented under the EO which provided additional analysis to ensure new wells are consistent with the respective GSPs and have sufficient separation from existing wells to minimize interference with nearby wells. The level of the GSA review is to be determined by the perspective GSA. The EO review ensures the benefit of coordinated review of well permits by both the County and the applicable GSAs while the County completes long-term well permit ordinance updates. The County is awaiting DWR's completion of its updates to Bulletin 74 regarding California Well Standards. DWR is in the processing of updating Bulletin 74, which was last updated in 1991. The updated Bulletin 74 will be submitted to the State Water Resources Control Board (SWCRB) for adoption into a Statewide Model Ordinance. The County anticipates the updates to the County's long-term well permitting ordinance will also include continued submission of well permits for review by the applicable GSA to ensure proposed wells are consistent with the applicable GSP.

Proposed Urgency Ordinance

The proposed urgency ordinance (Attachment A) temporarily extends the well permitting procedures enacted in compliance with the EO to protect the public health, safety, and welfare while considering long-term revisions to well permitting regulations and minimize disruptions in well permit review through October 31, 2025 in the unincorporated areas of Yolo County. The primary elements of the EO well permitting process being extended are:

- Well separation distance requirements developed by the LSCE TM (see Table 1. Minimum Well Separation Distances in Sec. 2.A.i. of the proposed Urgency Ordinance; see Exhibit C to the Urgency Ordinance for LSCE's documentation of the methods used to develop the minimum well separation distances);
- Requiring review by the applicable GSAs, namely YSGA for most agricultural well applications in Yolo County, as required by each GSA;
- Maintains exemptions for domestic wells (wells producing less than two acre-feet per year for individual domestic water use), public supply system wells as defined in Health & Safety Code Â§ 116275, monitoring wells or other wells not intended for extraction of groundwater, and minor alterations to certain existing wells are exempt from the urgency ordinance;
- No longer requires additional information regarding replacement wells regarding the use history and instead requires that the replacement well meet the minimum separation distances from other wells (replacement wells will also still require abandonment of the well being replaced);
- Adds a hardship exception; and
- Maintains the two-year term for well permits while the urgency ordinance is in place approved during prior droughts and with the latest TM update on April 9, 2024 (YCC sec. 6-8.804(b) otherwise provides that well permits are only valid for 120 days).

If adopted, the urgency ordinance will take effect immediately. Adoption of the urgency ordinance requires a 4/5 vote.

Documents Incorporated Into This Report

10/27/2023, 11/20/2023, 1/22/2024, and 3/18/2024 YSGA Board of Directors Agenda Materials regarding Focus Areas and well permit review procedures
1/9/2024 and 4/9/2024 Board of Supervisors Agenda Materials regarding Well Permits
Exhibits to the Proposed Urgency Ordinance

Collaborations (including Board advisory groups and external partner agencies)

Staff has collaborated with the Yolo Subbasin Groundwater Agency, the Office of County Counsel, and the County Administrator's Office.

Fiscal Information

No Fiscal Impact

<u>Fiscal Impact of this Expenditure</u>	
Total cost of recommended action	\$0
Amount budgeted for expenditure	\$0
Additional expenditure authority needed	\$0
One-time commitment	Yes

Source of Funds for this Expenditure \$0

Attachments

- Att. A. Urgency Ordinance
 - Att. A1. Urgency Ordinance - Revised
 - Att. B. Presentation
 - Att. C. Correspondence from Annie Main
 - Att. D. Correspondence from Scott Steward
 - Att. E. Correspondence from Juliette Beck
 - Att. F. Correspondence from Linda Bell
-

Form Review

Inbox	Reviewed By	Date
Kimberly Hood	Kimberly Hood	10/11/2024 03:49 PM
Leslie Lindbo	Leslie Lindbo	10/14/2024 12:21 PM
Leslie Lindbo	Leslie Lindbo	10/15/2024 03:18 PM
County Counsel	Hope Welton	10/16/2024 12:52 PM
Berenice Espitia	Berenice Espitia	10/16/2024 02:00 PM
Form Started By: April Meneghetti		Started On: 10/01/2024 11:53 AM
Final Approval Date: 10/16/2024		

ORDINANCE NO. 1569

AN URGENCY ORDINANCE TEMPORARILY EXTENDING CERTAIN REQUIREMENTS ON THE ISSUANCE OF AGRICULTURAL WATER WELL PERMITS IN THE UNINCORPORATED AREA OF YOLO COUNTY PENDING COMPLETION OF LONG-TERM WELL ORDINANCE AMENDMENTS

THE BOARD OF SUPERVISORS OF THE COUNTY OF YOLO HEREBY ORDAINS AS FOLLOWS:

SECTION 1. FINDINGS, DECLARATION OF URGENCY

In accordance with California Constitution, article XI, section 7 and Government Code section 25123(d), which authorize adoption of an interim urgency ordinance for the immediate preservation of the public peace, health, or safety, the Board of Supervisors finds as follows:

A. SGMA and Creation of the Yolo Subbasin Groundwater Agency

On September 16, 2014, Governor Jerry Brown signed three bills into law that are collectively known as the Sustainable Groundwater Management Act (“SGMA”). SGMA provides for local control of groundwater while requiring the sustainable management of groundwater resources. SGMA required the establishment of local groundwater sustainability agencies (“GSA”) with the authority to develop, adopt, and implement a Groundwater Sustainability Plan (“GSP”).

Through the creation of a joint powers agency, of which Yolo County is a member, the Yolo Subbasin Groundwater Agency (“YSGA”) was formed and is the recognized GSA for the entire Yolo Subbasin, which covers nearly all of Yolo County. The YSGA adopted a GSP in January 2022 for the Yolo Subbasin that addresses undesirable results related to sustainability indicators consisting of groundwater levels, groundwater storage, groundwater quality, land subsidence, and interconnected surface water.

Further, SGMA required the Department of Water Resources to classify groundwater basins throughout California as “high,” “medium,” or “low” priority. Yolo County overlaps three groundwater subbasins of the Sacramento Valley Groundwater Basin and includes additional areas outside of any designated groundwater basin. Groundwater basins and subbasins in California have been delineated by the Department of Water Resources (DWR) to coincide with the extent of unconsolidated geologic materials of alluvial origin. The groundwater subbasins overlapping the County include the Yolo Subbasin with small areas within the Solano and Colusa Subbasins. The Yolo and Colusa Subbasins are designated as high priority subbasins by DWR and the Solano Subbasin is a medium priority subbasin. The area of the County within the Yolo, Solano, and Colusa Subbasins are referred to as the “Valley Floor areas” of the County. The County also includes areas in the western part of the County that are outside of any designated groundwater basin or subbasin. The areas outside of the Valley Floor areas of the County are referred to as “Upland areas” of the County. **Exhibit A, attached hereto and incorporated herein**, presents the groundwater subbasin boundaries in relation to the County

and highlights the areas referred to as Valley Floor areas and Upland areas in this Urgency Ordinance.

B. County Well Permits

While the YSGA is responsible for the sustainability of the groundwater basin, the County's Division of Environmental Health (also known as "Yolo County Environmental Health" or "YCEH") is the local enforcement agency responsible for issuing permits for groundwater wells in the County, including new wells, alterations to existing wells, and replacement wells. YCEH reviews well permits for consistency with the Yolo County Code and other regulatory requirements to protect the quality of groundwater for public health reasons and to ensure the safe construction of wells.

C. Drought & Changes to the Well Permit Process to Comply with the Governor's Executive Order

On July 27, 2021, the Board of Supervisors adopted Resolution No. 21-98 proclaiming the existence of a local drought emergency and on October 19, 2021, Governor Newsom issued a proclamation extending the drought emergency statewide and further urging Californians to increase water conservation efforts.

Following a third consecutive dry winter, Governor Newsom issued Executive Order N-7-22 on March 28, 2022 and later EO N-3-23 ("EO") issued on February 13, 2023, requiring coordination between well permitting authorities and GSAs before issuing new well permits, exempting domestic wells and public water supply system wells. Recognizing that coordination between local entities that approve permits for new groundwater wells and local groundwater sustainability agencies is important to achieving sustainable levels of groundwater, the EO included a provision requiring additional review and analysis of applications for groundwater well permits in medium and high priority groundwater basins. As a high priority basin, wells in the Yolo Subbasin, and thus throughout the County were subject to the EO.

The pertinent paragraphs of the EO required the County to obtain a written verification from YSGA that the proposed well was not inconsistent with any sustainable groundwater management program established in the applicable Groundwater Sustainability Plan adopted by YSGA and would not decrease the likelihood of achieving a sustainability goal for the Yolo Subbasin.

The EO further required YCEH to determine that the proposed agricultural well was:(1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure.

Following the issuance of the EO, County staff collaborated with staff from the YSGA on implementation processes. The YSGA Board adopted Resolution No. 23-01 to formalize the YSGA's process of completing the GSP consistency review for compliance with the EO's written verification requirements required for new wells, i.e., that the groundwater extraction by the proposed well would not be inconsistent with the Yolo GSP and will not decrease the likelihood of achieving the YSGA's sustainability goals for the Yolo Subbasin. The YSGA,

working with hydrogeologists from West Yost, further identified areas of the County called “Focus Areas” that may be sensitive to groundwater pumping and warrant additional information and analysis. The Focus Area Map (the current version of which is attached hereto as **Exhibit B and incorporated herein**) identifies those sites in the Basin where local hydrogeology, data gaps, monitoring trends, or other considerations make it prudent for the agency to collect additional information from applicants prior to issuing a verification under the EOs. The YSGA Board of Directors developed a tiered review process on March 18, 2024 for their review of the wells within these Focus Areas that may be used to provide further direction for the YSGA and the County in establishing long-term well permitting procedures that will maintain sustainable groundwater use.

YCEH also worked with a hydrogeologist from Lohdorff & Scalmanini, Consulting Engineers (“LSCE”), to develop temporary well permit processing procedures to address the new EO requirements, which were most recently updated on March 28, 2024 and approved by the Board of Supervisors for non-exempt wells (primarily agricultural wells) on April 9, 2024. LSCE’s updated Technical Memorandum. (the “TM”) required well separation distances based on the data studied by LSCE that would demonstrate a proposed well is unlikely to interfere with the function and operation of existing nearby wells. Alternatively, a well applicant could submit a report prepared by a professional geologist or hydrogeologist (licensed in the State of California) analyzing whether a proposed well is unlikely to interfere with nearby wells. Additionally, the TM outlined the GSA verification review process required by the EO.

D. Lifting of EO Requirements

On September 5, 2024, Governor Newsom issued a new Executive Order N-3-24, which ended the drought state of emergency in 19 counties while maintaining it in the remaining 39 counties, including Yolo County, where it continues to support long-term recovery from the three driest year period on record. As part of EO N-3-24, however, the Governor rescinded certain provisions of prior EOs related to the drought, including the well permitting procedures required by EO N-3-23 (Paragraph 4).

E. Continued Need for Temporary Well Permitting Procedures

Although the State-wide EO process is no longer mandated, the EO review process in Yolo County developed with independent hydrogeologists, particularly with the Yolo Subbasin, identified Focus Areas and ensures the benefit of coordinated review of well permits by both the County and the applicable GSAs while the County completes long-term well permit ordinance updates. The County is awaiting DWR’s completion of its updates to Bulletin 74 regarding California Well Standards. DWR is in the processing of updating Bulletin 74, which was last updated in 1991. The updated Bulletin 74 will be submitted to the State Water Resources Control Board (SWCRB) for adoption into a Statewide Model Ordinance. The County anticipates the updates to the County’s long-term well permitting ordinance will also include continued submission of well permits for review by the applicable GSA to ensure proposed wells are consistent with the applicable GSP.

The GSAs within each of the three subbasins in the County are responsible for implementing the GSP covering their jurisdiction and managing groundwater in a manner that is consistent with the GSP. The GSPs have defined sustainable management criteria (SMC) including minimum thresholds, measurable objectives, and undesirable results for all applicable sustainability indicators. The GSAs in the three subbasins have the authority and responsibility to ensure groundwater management is sustainable in the subbasins and undesirable results are avoided including through implementation of management actions and projects, as needed. Given this authority and expertise of GSAs, continued coordination and GSA review of agricultural well permits are of significant importance, as the Legislature recognized with the adoption of SGMA and establishment of GSAs.

Failure to enact this Urgency Ordinance during the stated period (i.e., while the County completes long-term well permit ordinance updates) may result in significant irreversible change to groundwater levels to the detriment of the public health and safety if well permits are no longer subject to the separation requirements and coordination with the GSAs implemented under the EO. The interim EO well permit review process provided additional analysis resulting in the identification well separation distances to minimize interference with nearby wells. The interim EO process further resulted in the identification of Focus Areas, as further described herein, where there are areas in the Yolo Subbasin that warrant additional information and analysis to ensure new wells are consistent with the adopted GSP and do not exceed sustainable management criteria established in the GSP. Based on the foregoing, the Board of Supervisors does hereby declare this Urgency Ordinance is necessary to extend the well permitting procedures enacted in compliance with the EO, as modified herein based on the County's experience with the current EO process to date, to protect the public health, safety, and welfare while considering long-term revisions to well permitting regulations.

The Board of Supervisors further finds that immediate adoption of this Urgency Ordinance is necessary pursuant to Government Code section 25123(d) and 25131 for the immediate preservation of the public peace, health, or safety, as evidenced by the staff report accompanying this ordinance, the staff presentation and public testimony at the Board of Supervisors meeting, and any other information made available to the Board.

SECTION 2. MODIFIED TEMPORARY WELL PERMITTING PROCEDURES

Except as provided in Section 3 of this Urgency Ordinance, below, and subject to the well permit requirements in Title 6, Chapter 8 of the Yolo County Code, the County shall not approve or issue any permits or approval for the drilling of new wells unless the new well satisfies the following:

A. Minimum Well Separation Distances or Hydrogeologist Report to Minimize Interference with Nearby Wells

Well permit applications subject to the requirements of this Urgency Ordinance must demonstrate that a proposed new well or well alteration work is unlikely to interfere with the function and operation of nearby wells. There are two ways by which an applicant can demonstrate that a proposed new well or well alteration work is unlikely to interfere with the

function and operation of nearby wells: (1) meeting minimum separation distance from existing nearby wells providing the pumping capacity is below the threshold as described in Table 1, or (2) submitting a report by a professional geologist or hydrogeologist (licensed in the State of California) including associated information concluding that the proposed well or well alteration work will not interfere with the function and operation of nearby wells.

i. Minimum Well Separation Distances

The County requires minimum well separation distances for ensuring proposed new wells or well alterations are unlikely to interfere with the function and operation of nearby wells. **Table 1**, below, presents these minimum required distances from nearby active wells, excluding wells to be abandoned upon completion of the new replacement well if applicable, according to the proposed well pumping capacity and proposed well location in relation to Valley Floor or Upland areas. The minimum well separation distances in **Table 1** were developed with consideration of the hydrogeologic and well characteristics within the County.

LCSE’s documentation of the methods used to develop the minimum well separation distance criteria is attached hereto as **Exhibit C** to this Urgency Ordinance and incorporated by reference (LSCE, December 16, 2022 TM).

Table 1. Minimum Well Separation Distances

Pumping Capacity (gallons per minute)	Minimum Well Separation Distance (feet)
<i>Wells Within the Valley Floor Areas of the County</i>	
<500	250
500-999	500
1000-1499	1000
1500-1999	2000
≥2000	Report Required
<i>Wells in the Upland Areas of the County</i>	
<15	500
15-99	1000
≥100	Report Required

For proposed wells within the Valley Floor areas with design pumping capacities greater than or equal to 2,000 gallons per minute, a report completed by a licensed professional geologist or hydrogeologist is required to conclude the well is unlikely to interfere with the function and operation of nearby wells. For proposed wells in the Upland areas with design pumping

capacities greater than or equal to 100 gallons per minute, a report by a licensed professional geologist or hydrogeologist will be required. If the location of the proposed new well or well alteration does not meet the minimum separation distances from existing wells presented in **Table 1**, the applicant may submit a report prepared by a licensed professional geologist or hydrogeologist presenting site-specific information (e.g., aquifer properties) and analyses concluding that the well is unlikely to interfere with the function and operation of nearby wells.

For all non-exempt well permit applications, the applicant must submit a map and list of known active wells within a radial distance equal to the minimum separation distance required for the well (as presented in **Table 1**) plus 500 feet. The map should include the proposed well site with known nearby active domestic, public supply, agricultural/irrigation, industrial, or other groundwater production wells. Active wells include wells recently operated (within last five years) as production wells and equipped with an operational pumping and discharge assembly, or wells in the process of being prepared to be operated. The table listing known nearby wells must include the well type, latitude/longitude coordinates, distance from the proposed well site (in feet), and Assessor's Parcel Number (APN). Any wells owned by the applicant should be indicated on the map and list of nearby wells. The County will review the information on nearby wells provided by the applicant in conjunction with additional review of available well location information from Environmental Health's database to confirm the minimum well separation is satisfied. However, it is the responsibility of the applicant to investigate and confirm the accuracy and completeness of the list of nearby wells.

ii. Alternative – Geologist or Hydrogeologist Report

Applications relying on the submittal of a report by a licensed professional geologist or hydrogeologist to address the minimum separation distance requirement must include a map and list of known wells within the appropriate separation distance demonstrated in the report, plus an additional 500 feet. The report must also include technical analyses and justification for why the proposed separation distance is unlikely to impact the function and operation of nearby wells

B. GSA Verification – As Required by the Applicable GSA to Determine Consistency with Applicable GSP

As explained in Section 1 of this Urgency Ordinance, the Yolo and Solano Subbasin GSAs have developed GSPs as required by SGMA that address undesirable results related to sustainability indicators consisting of groundwater levels, groundwater storage, groundwater quality, land subsidence, and interconnected surface water. The GSAs within each of the three subbasins in the County are responsible for implementing the GSP covering their jurisdiction and managing groundwater in a manner that is consistent with the GSP. The GSPs have defined SMCs including minimum thresholds, measurable objectives, and undesirable results for all applicable sustainability indicators. The GSAs in the three subbasins have the authority and responsibility to ensure groundwater management is sustainable in the subbasins and undesirable results are avoided.

Accordingly, the County will submit all well permit applications subject to this Urgency Ordinance to the applicable GSA for review and verification in accordance with the review

procedures of the pertinent GSA to determine whether the proposed well is consistent with the adopted GSP. Applicants must comply with all applicable verification requirements of the applicable GSA. Most of the County is within the Yolo Subbasin and well permits in the Yolo Subbasin will be referred to the YSGA for evaluation. If the applicable GSA includes best management or other proposed or recommended conditions for the well as part of its written verification, the County will include those items as required conditions of the well permit.

The YSGA has identified Focus Areas using various hydrologic data, reported citizen concerns, and professional judgment to delineate areas in the Yolo Subbasin that warrant additional information and analysis as part of the YSGA's written verification process, including a hydrogeologist report analyzing the proposed well's impact on groundwater conditions. The YSGA's current Focus Area map (Exhibit B hereto) and current well permit review process are posted on the YSGA website: <https://www.yologroundwater.org/well-permit-verification>. For well permit applications not located in Focus Areas, YSGA review will be based on the exceedance or lack of exceedance of sustainable management criteria established in the GSP. Applicants are advised to check with YSGA for changes to its written verification process and Focus Area map, which may be adjusted from time to time by action of the YSGA Board of Directors.

SECTION 3. EXCEPTIONS

A. Exempt Wells

The temporary well permitting procedures identified in Section 2, above, shall not apply to the following wells:

- i. Wells producing less than two acre-feet per year for individual domestic water use on the same parcel as the well; domestic water uses include those non-commercial uses associated with a residential dwelling and related yard, garden and barnyard uses, and small personal crops within the same parcel as the residential dwelling;
- ii. Public supply system wells as defined in Health & Safety Code § 116275;
- iii. Monitoring wells or other wells not intended for extraction of groundwater; and
- iv. Minor alterations of production wells that do not increase the discharge rate for the well or significantly alter the depth interval from which groundwater is extracted with the well. Minor alterations may include activities such as installing casing liners, patches, or other work although such work must not modify the well in a manner that increases the total groundwater pumping capacity.

B. Hardship Exception

Any person may apply for an exception from the provisions of this Ordinance on the grounds of economic hardship. Such application shall state the nature of the hardship and the reasons why an exception to this Ordinance is warranted. The application shall explain the need for the well and the impact the proposed well may have on surrounding groundwater levels. The

application shall state why the delay in pursuing the use until the County completes its evaluation of the regulations, and makes those amendments, revisions, or modifications to the regulations as the Board deems appropriate, would constitute a taking in contravention of the law. The application shall also explain whether there are alternatives to the proposed well which have been investigated and the applicant's opinion of such alternatives. Such explanation shall, if appropriate, be accompanied by technical information to support the explanation. The application for a hardship exemption shall be heard by the Planning Commission pursuant to the procedures established in Section 8-2.225 of the Yolo County Code of Ordinances. The Planning Commission's decision may be appealed to the Board of Supervisors upon payment of the necessary appeal fees.

SECTION 4. WELL PERMIT TERM

Notwithstanding Yolo County Code section 6-8.804(b), all well permits (exempt and non-exempt wells) will continue to be valid for two years from the date of issuance while this Urgency Ordinance is in effect. If a permittee cannot complete the permitted well within two years, and applies for an extension before the permit expires, the County may extend the permit for two additional years. All non-exempt well permit renewals are subject to compliance with the County's well permitting procedures that may be in effect at the time the renewal is approved, including this Urgency Ordinance, as applicable.

SECTION 5. CEQA FINDING

The Board of Supervisors hereby finds that it can be seen with certainty that there is no possibility that the adoption of this Urgency Ordinance will have a significant effect on the environment because the Urgency Ordinance will simply maintain requirements for well separation distances and GSA review to protect against impacts of new wells. It is therefore not a project under CEQA as the temporary well permit procedures on the will not result in a direct or reasonably foreseeable indirect change in the environment. (CEQA Guidelines, Section 15060(c)(2).) It is further exempt from CEQA pursuant to Sections 15307 and 15308 of the CEQA Guidelines (Class 7 and 8 categorical exemptions) as an action taken to assure the maintenance, restoration, enhancement, and protection of natural resources and the environment where the regulatory process involves procedures for protection of the environment. In addition, this ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility that this interim urgency ordinance may have a significant effect on the environment.

SECTION 6. SEVERABILITY

If any section, sub-section, sentence, clause, or phrase of this Urgency Ordinance is held by a court of competent jurisdiction to be invalid, such decision shall not affect the remaining portions this Urgency Ordinance. The Board of Supervisors hereby declares that it would have passed this Urgency Ordinance, and each section, sub-section, sentence, clause, and phrase hereof,

irrespective of the fact that one or more sections, sub-sections, sentences, clauses, and phrases be declared invalid.

SECTION 7. EFFECTIVE DATE

This uncodified Urgency Ordinance shall take effect upon its adoption by a 4/5 or greater vote of the Board of Supervisors and shall be in force immediately through and including October 31, 2025, unless extended prior to expiration.

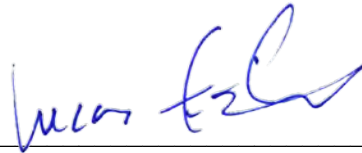
I HEREBY CERTIFY that the foregoing Urgency Ordinance was introduced before the Board of Supervisors of the County of Yolo and that the Board passed and adopted this Urgency Ordinance on the 22nd day of October, 2024, by the following vote:

AYES: Vixie Sandy, Barajas, Villegas, Frerichs.

NOES: None.

ABSENT: Provenza.

ABSTAIN: None.

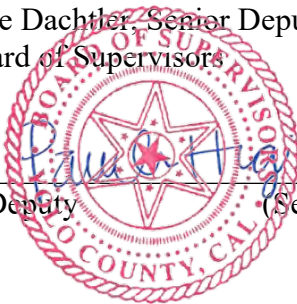


Lucas Frerichs, Chair
Yolo County Board of Supervisors

ATTEST:

Julie Dachtler, Senior Deputy Clerk
Board of Supervisors

By  _____
Deputy (Seal)



APPROVED AS TO FORM:

Philip J. Pogledich, County Counsel

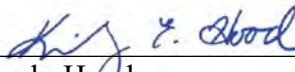
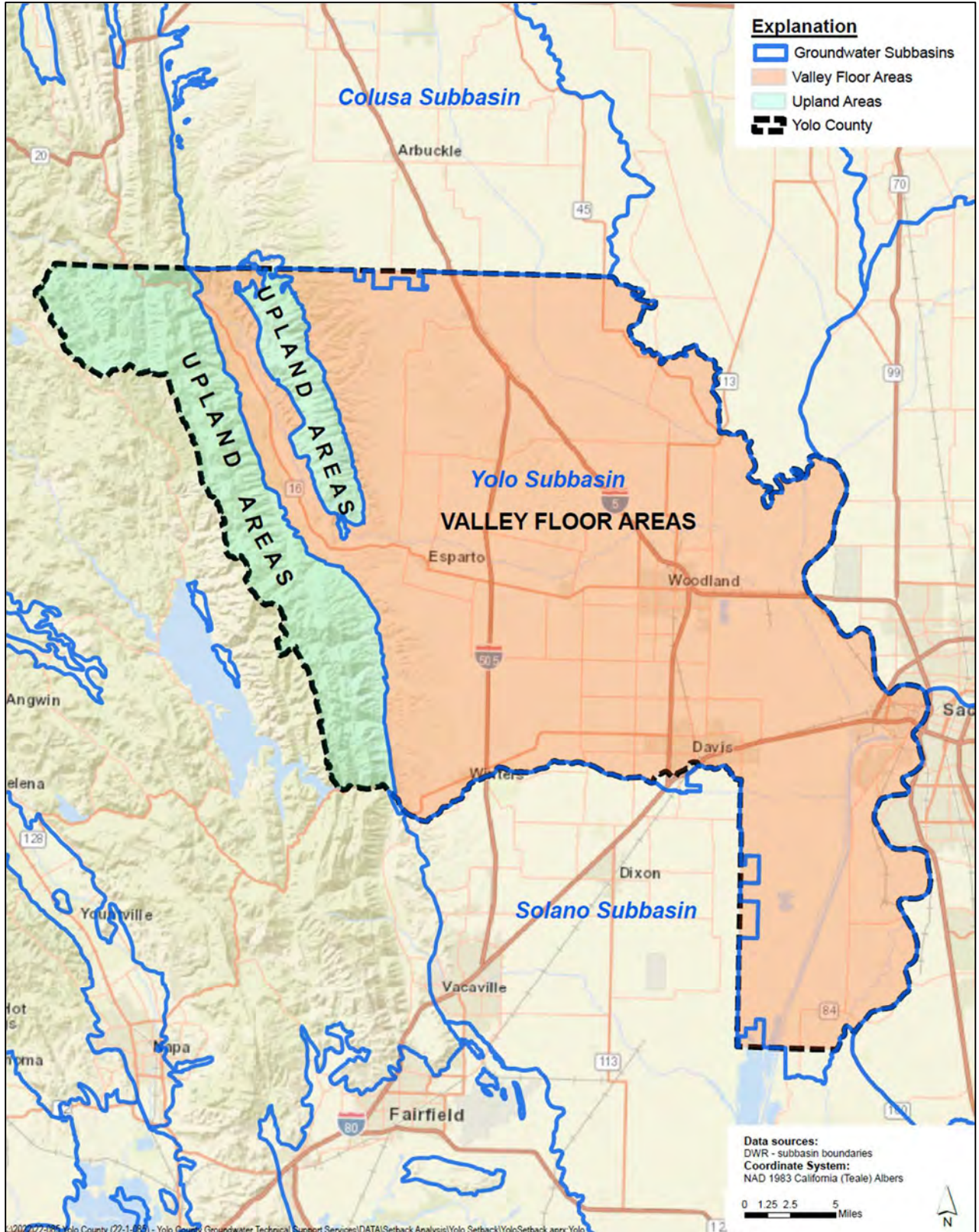
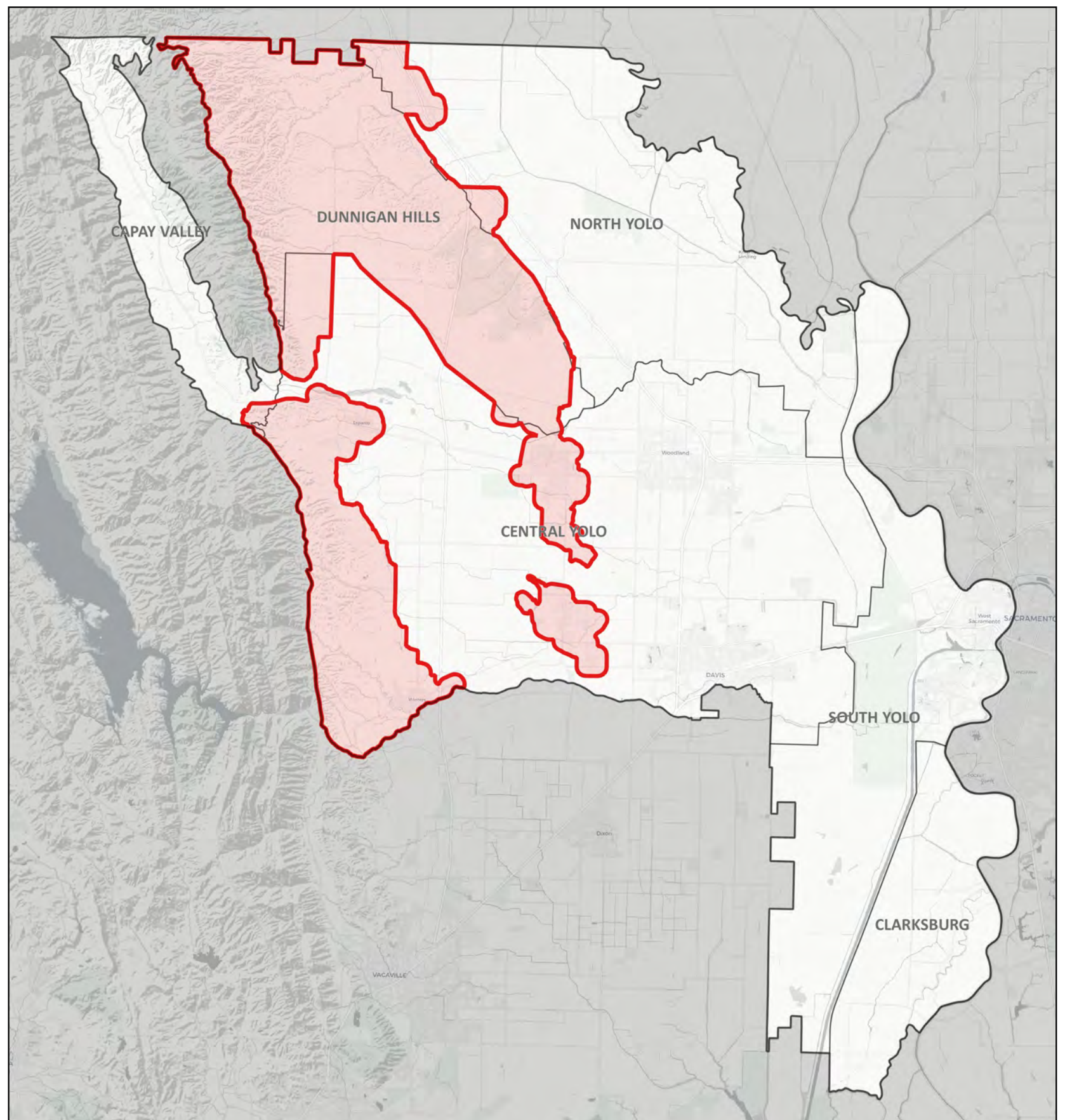
By  _____
Kimberly Hoed
Chief Assistant County Counsel




EXHIBIT A



Map of Groundwater Subbasins Overlapping Yolo County



Legend

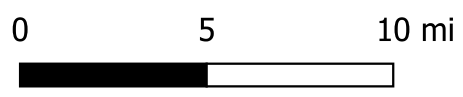
-  YSGA Focus Areas
-  YSGA Management Areas
-  Yolo Subbasin Boundary

Data sources:

ESRI (basemap)

CRS:

NAD 1983 California (Teale) Albers





Technical Memorandum

DATE: December 16, 2022 PROJECT: 22-1-085

TO: Yolo County Department of Natural Resources, Environmental Health Division
Jianmin Huang
April Meneghetti
Elisa Sabatini

FROM: Luhdorff and Scalmanini, Consulting Engineers
Nick Watterson, PG, CHG
Matt Sturdivant
Vicki Kretsinger Grabert

SUBJECT: **DOCUMENTATION OF METHODS USED TO DEVELOP WELL SEPARATION DISTANCES TO ADDRESS EXECUTIVE ORDER N-7-22 SECTION 9**

This document was prepared for Yolo County Natural Resources Department, Environmental Health Division (County) by Luhdorff and Scalmanini, Consulting Engineers to support the County's development and implementation of modified water well permitting procedures to comply with the Governor's Executive Order N-7-22 (EO) issued on March 28, 2022. Included in Section 9 of the EO are requirements that prior to issuing a new well permit, all well permit applications must be evaluated and a determination must be made that the proposed well will not interfere with the operation and function of existing nearby wells. Yolo County is the well permitting entity for all areas of the County and responsible for addressing this requirement of the EO. The County has developed minimum well separation distances intended to address this requirement during review of water well permit applications. This Technical Memorandum (TM) provides a summary of the methods used to develop the well separation distances in modified well permitting procedures developed by the County.

1. METHODS

Yolo County overlaps three groundwater subbasins of the Sacramento Valley Groundwater Basin with additional areas outside of any groundwater basin. The unconsolidated sediments that occur within the Valley Floor areas of the County have potential to store and yield large quantities of groundwater. The geologic materials in the Valley Floor areas consist primarily of unconsolidated alluvial sediments ranging from fine-grained clay to coarser-grained sands and gravels, whereas the Upland Areas are primarily consolidated rock. The Valley Floor and Upland areas of the County are shown on **Figure 1**. Evaluations of appropriate well separation distances were conducted separately for Valley Floor and Upland areas because of the different hydrogeologic settings.

The selection of well separation distances was based on analyses of likely pumping drawdown impacts at different distances from a pumping well under a range of well operational considerations and aquifer properties representative of conditions in the County. The propagation of pumping drawdown depends on the duration and intensity of the well pumping and hydrogeologic characteristics related to the aquifer's ability to store and transmit water. An analytical modeling approach based on application of the Theis equation (Theis, 1935) was utilized to estimate the amount of water level drawdown expected at different distances from the pumping well. Important inputs for the analytical modeling include well operational parameters of well pumping rate and duration and aquifer parameters of transmissivity and storativity. Well operational inputs evaluated in the analytical modeling were developed based on review of agricultural well pumping rates from the Department of Water Resources' Well Completion Report (WCR) Database and from local knowledge of well operation in the County. Reported pumping rates from WCRs commonly represent maximum tested pumping capacity rather than the operational or design pumping rate for a well.

Valley Floor Area Analysis

Figure 2 presents pumping rates reported on WCRs for agricultural wells located within the Valley Floor. Considering these reported pumping rates, the separation distance analysis evaluated a range of pumping rates from 500 to 3,000 gallons per minute GPM (**Table 1**), although most wells are expected to have design pumping rates less than 2,000 GPM.

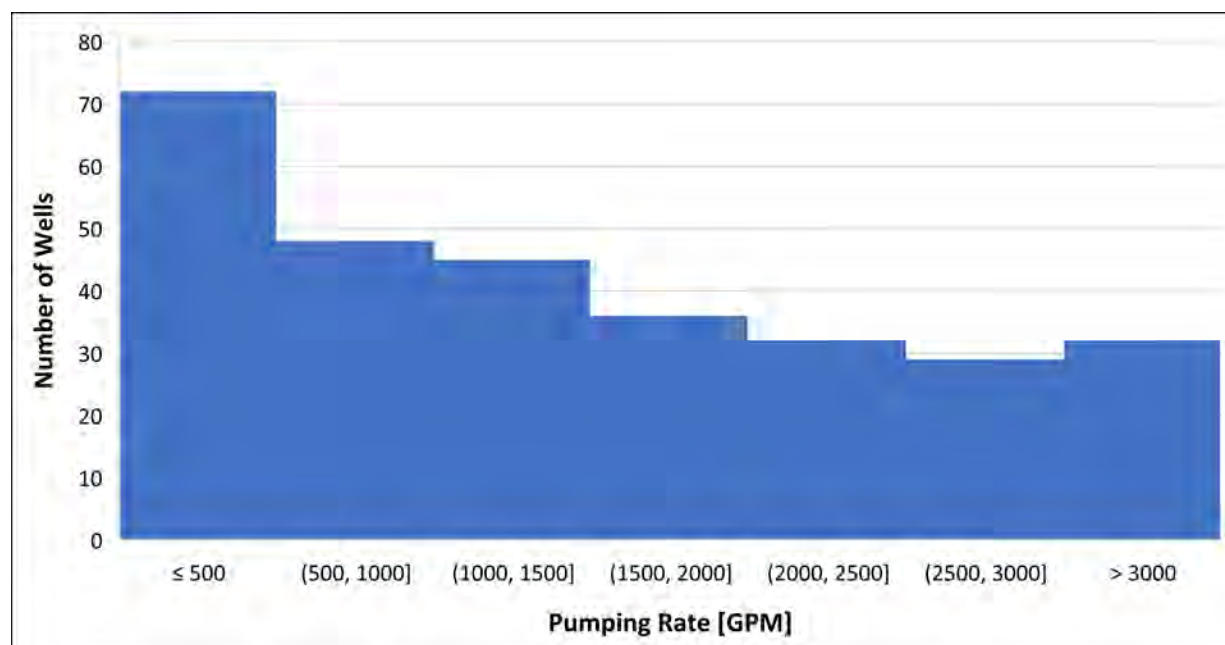


Figure 2. Yolo County Valley Floor Pumping Rates reported from WCRs

Typical pumping duration and aquifer parameters for use in the analysis were derived from the Sacramento Valley Groundwater-Surface Water Simulation Model (SVSim) (DWR, 2022). **Figure 3** presents the average applied water use by month within the Valley Floor area of Yolo County as simulated in the model. These data suggest much of the applied water use occurs during the six months from May through October. Therefore, a six-month pumping duration was assumed in the analysis.

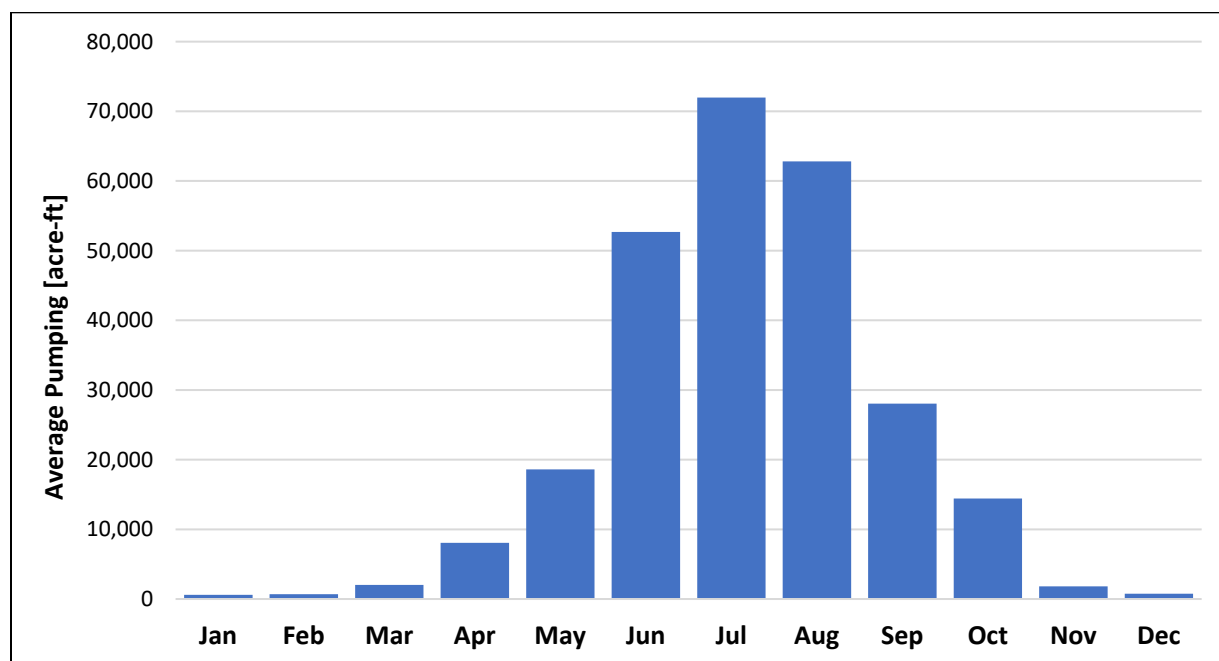


Figure 3. Yolo County Valley Floor Monthly Pumping reported from SVSim

Aquifer parameters were derived from SVSim for both confined and unconfined conditions. Aquifer conditions near the surface throughout the Valley Floor area are typically unconfined, but confinement increases with depth. Required well separation distances are not intended to be depth-dependent, and production wells are generally drilled to greater depths, commonly into zones that are more confined. Therefore, the analysis utilized more conservative aquifer parameters representative of confined conditions to determine appropriate well separation distances.

To evaluate many possible pumping scenarios that could occur within the Valley Floor area, drawdowns were estimated (using the Theis equation) for all of the different combinations of aquifer properties (storativity and transmissivity) represented in SVSim for the area within Yolo County. This was conducted for many different pumping rates with drawdown at different distances calculated for each scenario. **Table 1** presents the ranges of inputs included in this analysis.

A drawdown of five feet or less was considered not likely to interfere with the production and function of existing wells based on consideration of typical well characteristics and using professional judgment. Appropriate well separation distances for different pumping rates were then determined by evaluating the distance at which approximately 90 percent of possible scenarios resulted in less than five feet of drawdown (i.e., only 10 percent resulted in drawdown more than five feet). Minimum well separation distances were determined for pumping rates of 500, 1,000, 1,500, and 2,000 GPM for use in permitting guidance. The potential impacts on nearby wells from high-capacity wells with pumping rates greater than 2000 GPM should be subject to additional review by a licensed professional geologist or hydrogeologist because the cone of depression from such large wells could become quite large.

Table 1. Drawdown Model Parameters for Yolo County Valley Floor

Model Parameter	Value	Basis
Design Pumping Rate	500 – 3,000 GPM	Range of values evaluated based on range of pumping rates reported in DWR’s WCR database
Sustained Pumping Rate Used in Analysis	250 – 1,500 GPM	Represents pumping 500-3,000 GPM; 12 hours on / 12 hours off daily over pumping duration
Pumping Duration	6 Months	Most pumping occurs May through Oct based on SVSim
Storativity Values	0.005 – 0.051	Parameters from SVSim hydrologic model
Transmissivity Values	3900 – 75,500 feet ² /day	Parameters from SVSim hydrologic model
Drawdown Threshold	5 feet	Maximum drawdown not likely to interfere with function of nearby wells

Upland Areas Analysis

Hydrogeologic conditions in the Upland areas of the County are much different than the Valley Floor areas. There are fewer wells, many wells are deeper than in the Valley Floor, and pumping rates tend to be much lower. Wells in the Upland areas are usually drilled into much more consolidated geologic formations where aquifer transmissivities are typically orders of magnitude lower than in the Valley Floor. Although pumping rates are much lower in the Upland areas, large drawdowns can be caused by well pumping because of the low transmissivity and storativity of the more consolidated aquifers. In the Upland areas, pumping scenarios resulting in ten feet or less of drawdown were considered not likely to interfere with the production and functioning of existing wells. Parameters used in the analysis in the Upland areas are summarized in **Table 2**.

Table 2. Drawdown Model Parameters for Yolo County Upland Areas

Model Parameter	Value	Basis
Design Pumping Rate	10 - 100 GPM	Range of values evaluated based on range of pumping rates reported in DWR’s WCR database
Sustained Pumping Rate Used in Analysis	5 – 50 GPM	Represents pumping 10 - 100 GPM; 12 hours on / 12 hours off daily over pumping duration
Pumping Duration	1 Month	Represents potential long-term use in Upland areas
Storativity Values	0.0001 – 0.001	Typical of low storativites expected in consolidated aquifers
Transmissivity Values	1 – 250 feet ² /day	Parameters derived from specific capacities reported in DWR’s WCR database
Drawdown Threshold	10 feet	Maximum drawdown not likely to interfere with function of nearby wells

2. WELL SEPARATION DISTANCES ANALYSIS RESULTS

Minimum well separation distances were developed based on the analysis described above to ensure proposed new wells or well alterations are unlikely to interfere with the function and operation of nearby wells. **Table 3** presents these minimum well separation distances from nearby active wells according to the proposed well pumping capacity and proposed well location (i.e., Valley Floor areas versus Upland areas).

Table 3. Minimum Well Separation Distances

Design Pumping Rate (gallons per minute)	Minimum Well Separation Distance (feet)
<i>Wells Within the Valley Floor Areas of the County</i>	
<500	250
500-1000	500
1000-1500	1000
1500-2000	2000
>2000	Report Required
<i>Wells in the Upland Areas of the County</i>	
<15	500
15-100	1000
>100	Report Required

For proposed wells within the Valley Floor areas with design pumping capacities greater than 2,000 GPM, a report completed by a licensed professional geologist or hydrogeologist is necessary to demonstrate the well is unlikely to interfere with the function and operation of nearby wells. For proposed wells in the Upland areas with design pumping capacities greater than 100 GPM a report by licensed professional geologist or hydrogeologist is necessary. If the location of the proposed new well or well alterations does not meet the minimum separation distances from existing wells presented in **Table 1**, the applicant may submit a report prepared by a licensed professional geologist or hydrogeologist presenting site-specific information (e.g., aquifer properties) and analyses demonstrating the well is unlikely to interfere with the function and operation of nearby wells.

3. REFERENCES

Theis, C.V., 1935. The relation between the lowering of the piezometric surface and the rate and duration of discharge of a well using groundwater storage, Am. Geophys. Union Trans., vol. 16, pp. 519-524.

California Department of Water Resources (DWR), 2022. Sacramento Valley Groundwater-Surface Water Simulation Model (SVSim) Version 1.0. <https://data.cnra.ca.gov/dataset/svsim>

ORDINANCE NO. _____

AN URGENCY ORDINANCE TEMPORARILY EXTENDING CERTAIN REQUIREMENTS ON THE ISSUANCE OF AGRICULTURAL WATER WELL PERMITS IN THE UNINCORPORATED AREA OF YOLO COUNTY PENDING COMPLETION OF LONG-TERM WELL ORDINANCE AMENDMENTS

THE BOARD OF SUPERVISORS OF THE COUNTY OF YOLO HEREBY ORDAINS AS FOLLOWS:

SECTION 1. FINDINGS, DECLARATION OF URGENCY

In accordance with California Constitution, article XI, section 7 and Government Code section 25123(d), which authorize adoption of an interim urgency ordinance for the immediate preservation of the public peace, health, or safety, the Board of Supervisors finds as follows:

A. SGMA and Creation of the Yolo Subbasin Groundwater Agency

On September 16, 2014, Governor Jerry Brown signed three bills into law that are collectively known as the Sustainable Groundwater Management Act (“SGMA”). SGMA provides for local control of groundwater while requiring the sustainable management of groundwater resources. SGMA required the establishment of local groundwater sustainability agencies (“GSA”) with the authority to develop, adopt, and implement a Groundwater Sustainability Plan (“GSP”).

Through the creation of a joint powers agency, of which Yolo County is a member, the Yolo Subbasin Groundwater Agency (“YSGA”) was formed and is the recognized GSA for the entire Yolo Subbasin, which covers nearly all of Yolo County. The YSGA adopted a GSP in January 2022 for the Yolo Subbasin that addresses undesirable results related to sustainability indicators consisting of groundwater levels, groundwater storage, groundwater quality, land subsidence, and interconnected surface water.

Further, SGMA required the Department of Water Resources to classify groundwater basins throughout California as “high,” “medium,” or “low” priority. Yolo County overlaps three groundwater subbasins of the Sacramento Valley Groundwater Basin and includes additional areas outside of any designated groundwater basin. Groundwater basins and subbasins in California have been delineated by the Department of Water Resources (DWR) to coincide with the extent of unconsolidated geologic materials of alluvial origin. The groundwater subbasins overlapping the County include the Yolo Subbasin with small areas within the Solano and Colusa Subbasins. The Yolo and Colusa Subbasins are designated as high priority subbasins by DWR and the Solano Subbasin is a medium priority subbasin. The area of the County within the Yolo, Solano, and Colusa Subbasins are referred to as the “Valley Floor areas” of the County. The County also includes areas in the western part of the County that are outside of any designated groundwater basin or subbasin. The areas outside of the Valley Floor areas of the County are referred to as “Upland areas” of the County. **Exhibit A, attached hereto and incorporated herein**, presents the groundwater subbasin boundaries in relation to the County

and highlights the areas referred to as Valley Floor areas and Upland areas in this Urgency Ordinance.

B. County Well Permits

While the YSGA is responsible for the sustainability of the groundwater basin, the County's Division of Environmental Health (also known as "Yolo County Environmental Health" or "YCEH") is the local enforcement agency responsible for issuing permits for groundwater wells in the County, including new wells, alterations to existing wells, and replacement wells. YCEH reviews well permits for consistency with the Yolo County Code and other regulatory requirements to protect the quality of groundwater for public health reasons and to ensure the safe construction of wells.

C. Drought & Changes to the Well Permit Process to Comply with the Governor's Executive Order

On July 27, 2021, the Board of Supervisors adopted Resolution No. 21-98 proclaiming the existence of a local drought emergency and on October 19, 2021, Governor Newsom issued a proclamation extending the drought emergency statewide and further urging Californians to increase water conservation efforts.

Following a third consecutive dry winter, Governor Newsom issued Executive Order N-7-22 on March 28, 2022 and later EO N-3-23 ("EO") issued on February 13, 2023, requiring coordination between well permitting authorities and GSAs before issuing new well permits, exempting domestic wells and public water supply system wells. Recognizing that coordination between local entities that approve permits for new groundwater wells and local groundwater sustainability agencies is important to achieving sustainable levels of groundwater, the EO included a provision requiring additional review and analysis of applications for groundwater well permits in medium and high priority groundwater basins. As a high priority basin, wells in the Yolo Subbasin, and thus throughout the County were subject to the EO.

The pertinent paragraphs of the EO required the County to obtain a written verification from YSGA that the proposed well was not inconsistent with any sustainable groundwater management program established in the applicable Groundwater Sustainability Plan adopted by YSGA and would not decrease the likelihood of achieving a sustainability goal for the Yolo Subbasin.

The EO further required YCEH to determine that the proposed agricultural well was:(1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure.

Following the issuance of the EO, County staff collaborated with staff from the YSGA on implementation processes. The YSGA Board adopted Resolution No. 23-01 to formalize the YSGA's process of completing the GSP consistency review for compliance with the EO's written verification requirements required for new wells, i.e., that the groundwater extraction by the proposed well would not be inconsistent with the Yolo GSP and will not decrease the likelihood of achieving the YSGA's sustainability goals for the Yolo Subbasin. The YSGA,

working with hydrogeologists from West Yost, further identified areas of the County called “Focus Areas” that may be sensitive to groundwater pumping and warrant additional information and analysis. The Focus Area Map (the current version of which is attached hereto as **Exhibit B and incorporated herein**) identifies those sites in the Basin where local hydrogeology, data gaps, monitoring trends, or other considerations make it prudent for the agency to collect additional information from applicants prior to issuing a verification under the EOs. The YSGA Board of Directors developed a tiered review process on March 18, 2024 for their review of the wells within these Focus Areas that may be used to provide further direction for the YSGA and the County in establishing long-term well permitting procedures that will maintain sustainable groundwater use.

YCEH also worked with a hydrogeologist from Luhdorff & Scalmanini, Consulting Engineers (“LSCE”), to develop temporary well permit processing procedures to address the new EO requirements, which were most recently updated on March 28, 2024 and approved by the Board of Supervisors for non-exempt wells (primarily agricultural wells) on April 9, 2024. LSCE’s updated Technical Memorandum. (the “TM”) required well separation distances based on the data studied by LSCE that would demonstrate a proposed well is unlikely to interfere with the function and operation of existing nearby wells. Alternatively, a well applicant could submit a report prepared by a professional geologist or hydrogeologist (licensed in the State of California) analyzing whether a proposed well is unlikely to interfere with nearby wells. Additionally, the TM outlined the GSA verification review process required by the EO.

D. Lifting of EO Requirements

On September 5, 2024, Governor Newsom issued a new Executive Order N-3-24, which ended the drought state of emergency in 19 counties while maintaining it in the remaining 39 counties, including Yolo County, where it continues to support long-term recovery from the three driest year period on record. As part of EO N-3-24, however, the Governor rescinded certain provisions of prior EOs related to the drought, including the well permitting procedures required by EO N-3-23 (Paragraph 4).

E. Continued Need for Temporary Well Permitting Procedures

Although the State-wide EO process is no longer mandated, the EO review process in Yolo County developed with independent hydrogeologists, particularly with the Yolo Subbasin, identified Focus Areas and ensures the benefit of coordinated review of well permits by both the County and the applicable GSAs while the County completes long-term well permit ordinance updates. The County is awaiting DWR’s completion of its updates to Bulletin 74 regarding California Well Standards. DWR is in the processing of updating Bulletin 74, which was last updated in 1991. The updated Bulletin 74 will be submitted to the State Water Resources Control Board (SWCRB) for adoption into a Statewide Model Ordinance. The County anticipates the updates to the County’s long-term well permitting ordinance will also include continued submission of well permits for review by the applicable GSA to ensure proposed wells are consistent with the applicable GSP.

The GSAs within each of the three subbasins in the County are responsible for implementing the GSP covering their jurisdiction and managing groundwater in a manner that is consistent with the GSP. The GSPs have defined sustainable management criteria (SMC) including minimum thresholds, measurable objectives, and undesirable results for all applicable sustainability indicators. The GSAs in the three subbasins have the authority and responsibility to ensure groundwater management is sustainable in the subbasins and undesirable results are avoided including through implementation of management actions and projects, as needed. Given this authority and expertise of GSAs, continued coordination and GSA review of agricultural well permits are of significant importance, as the Legislature recognized with the adoption of SGMA and establishment of GSAs.

Failure to enact this Urgency Ordinance during the stated period (i.e., while the County completes long-term well permit ordinance updates) may result in significant irreversible change to groundwater levels to the detriment of the public health and safety if well permits are no longer subject to the separation requirements and coordination with the GSAs implemented under the EO. The interim EO well permit review process provided additional analysis resulting in the identification well separation distances to minimize interference with nearby wells. The interim EO process further resulted in the identification of Focus Areas, as further described herein, where there are areas in the Yolo Subbasin that warrant additional information and analysis to ensure new wells are consistent with the adopted GSP and do not exceed sustainable management criteria established in the GSP. Based on the foregoing, the Board of Supervisors does hereby declare this Urgency Ordinance is necessary to extend the well permitting procedures enacted in compliance with the EO, as modified herein based on the County's experience with the current EO process to date, to protect the public health, safety, and welfare while considering long-term revisions to well permitting regulations.

The Board of Supervisors further finds that immediate adoption of this Urgency Ordinance is necessary pursuant to Government Code section 25123(d) and 25131 for the immediate preservation of the public peace, health, or safety, as evidenced by the staff report accompanying this ordinance, the staff presentation and public testimony at the Board of Supervisors meeting, and any other information made available to the Board.

SECTION 2. MODIFIED TEMPORARY WELL PERMITTING PROCEDURES

Except as provided in Section 3 of this Urgency Ordinance, below, and subject to the well permit requirements in Title 6, Chapter 8 of the Yolo County Code, the County shall not approve or issue any permits or approval for the drilling of new wells unless the new well satisfies the following:

A. Minimum Well Separation Distances or Hydrogeologist Report to Minimize Interference with Nearby Wells

Well permit applications subject to the requirements of this Urgency Ordinance must demonstrate that a proposed new well or well alteration work is unlikely to interfere with the function and operation of nearby wells. There are two ways by which an applicant can demonstrate that a proposed new well or well alteration work is unlikely to interfere with the

function and operation of nearby wells: (1) meeting minimum separation distance from existing nearby wells providing the pumping capacity is below the threshold as described in Table 1, or (2) submitting a report by a professional geologist or hydrogeologist (licensed in the State of California) including associated information concluding that the proposed well or well alteration work will not interfere with the function and operation of nearby wells.

i. Minimum Well Separation Distances

The County requires minimum well separation distances for ensuring proposed new wells or well alterations are unlikely to interfere with the function and operation of nearby wells. **Table 1**, below, presents these minimum required distances from nearby active wells, excluding wells to be abandoned upon completion of the new replacement well if applicable, according to the proposed well pumping capacity and proposed well location in relation to Valley Floor or Upland areas. The minimum well separation distances in **Table 1** were developed with consideration of the hydrogeologic and well characteristics within the County.

LCSE’s documentation of the methods used to develop the minimum well separation distance criteria is attached hereto as **Exhibit C** to this Urgency Ordinance and incorporated by reference (LSCE, December 16, 2022 TM).

Table 1. Minimum Well Separation Distances

Pumping Capacity (gallons per minute)	Minimum Well Separation Distance (feet)
<i>Wells Within the Valley Floor Areas of the County</i>	
<500	250
500-999	500
1000-1499	1000
1500-1999	2000
≥2000	Report Required
<i>Wells in the Upland Areas of the County</i>	
<15	500
15-99	1000
≥100	Report Required

For proposed wells within the Valley Floor areas with design pumping capacities greater than or equal to 2,000 gallons per minute, a report completed by a licensed professional geologist or hydrogeologist is required to conclude the well is unlikely to interfere with the function and operation of nearby wells. For proposed wells in the Upland areas with design pumping

capacities greater than or equal to 100 gallons per minute, a report by a licensed professional geologist or hydrogeologist will be required. If the location of the proposed new well or well alteration does not meet the minimum separation distances from existing wells presented in **Table 1**, the applicant may submit a report prepared by a licensed professional geologist or hydrogeologist presenting site-specific information (e.g., aquifer properties) and analyses concluding that the well is unlikely to interfere with the function and operation of nearby wells.

For all non-exempt well permit applications, the applicant must submit a map and list of known active wells within a radial distance equal to the minimum separation distance required for the well (as presented in **Table 1**) plus 500 feet. The map should include the proposed well site with known nearby active domestic, public supply, agricultural/irrigation, industrial, or other groundwater production wells. Active wells include wells recently operated (within last five years) as production wells and equipped with an operational pumping and discharge assembly, or wells in the process of being prepared to be operated. The table listing known nearby wells must include the well type, latitude/longitude coordinates, distance from the proposed well site (in feet), and Assessor's Parcel Number (APN). Any wells owned by the applicant should be indicated on the map and list of nearby wells. The County will review the information on nearby wells provided by the applicant in conjunction with additional review of available well location information from Environmental Health's database to confirm the minimum well separation is satisfied. However, it is the responsibility of the applicant to investigate and confirm the accuracy and completeness of the list of nearby wells.

Common Ownership Exception: Existing wells owned by the applicant that are located on the same parcel as the proposed well or on a parcel adjacent to the parcel with the proposed well are exempt from the minimum well separation distance requirement.

ii. Alternative – Geologist or Hydrogeologist Report

Applications relying on the submittal of a report by a licensed professional geologist or hydrogeologist to address the minimum separation distance requirement must include a map and list of known wells within the appropriate separation distance demonstrated in the report, plus an additional 500 feet. The report must also include technical analyses and justification for why the proposed separation distance is unlikely to impact the function and operation of nearby wells

B. GSA Verification – As Required by the Applicable GSA to Determine Consistency with Applicable GSP

As explained in Section 1 of this Urgency Ordinance, the Yolo and Solano Subbasin GSAs have developed GSPs as required by SGMA that address undesirable results related to sustainability indicators consisting of groundwater levels, groundwater storage, groundwater quality, land subsidence, and interconnected surface water. The GSAs within each of the three subbasins in the County are responsible for implementing the GSP covering their jurisdiction and managing groundwater in a manner that is consistent with the GSP. The GSPs have defined SMCs including minimum thresholds, measurable objectives, and undesirable results for all applicable sustainability indicators. The GSAs in the three subbasins have the authority and responsibility to ensure groundwater management is sustainable in the subbasins and undesirable results are avoided.

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Accordingly, the County will submit all well permit applications subject to this Urgency Ordinance to the applicable GSA for review and verification in accordance with the review procedures of the pertinent GSA to determine whether the proposed well is consistent with the adopted GSP. Applicants must comply with all applicable verification requirements of the applicable GSA. Most of the County is within the Yolo Subbasin and well permits in the Yolo Subbasin will be referred to the YSGA for evaluation. If the applicable GSA includes best management or other proposed or recommended conditions for the well as part of its written verification, the County will include those items as required conditions of the well permit.

The YSGA has identified Focus Areas using various hydrologic data, reported citizen concerns, and professional judgment to delineate areas in the Yolo Subbasin that warrant additional information and analysis as part of the YSGA's written verification process, including a hydrogeologist report analyzing the proposed well's impact on groundwater conditions. The YSGA's current Focus Area map (Exhibit B hereto) and current well permit review process are posted on the YSGA website: <https://www.yologroundwater.org/well-permit-verification>. For well permit applications not located in Focus Areas, YSGA review will be based on the exceedance or lack of exceedance of sustainable management criteria established in the GSP. Applicants are advised to check with YSGA for changes to its written verification process and Focus Area map, which may be adjusted from time to time by action of the YSGA Board of Directors.

SECTION 3. EXCEPTIONS

A. Exempt Wells

The temporary well permitting procedures identified in Section 2, above, shall not apply to the following wells:

- i. Wells producing less than two acre-feet per year for individual domestic water use on the same parcel as the well; domestic water uses include those non-commercial uses associated with a residential dwelling and related yard, garden and barnyard uses, and small personal crops within the same parcel as the residential dwelling;
- ii. Public supply system wells as defined in Health & Safety Code § 116275;
- iii. Monitoring wells or other wells not intended for extraction of groundwater; and
- iv. Minor alterations of production wells that do not increase the discharge rate for the well or significantly alter the depth interval from which groundwater is extracted with the well. Minor alterations may include activities such as installing casing liners, patches, or other work although such work must not modify the well in a manner that increases the total groundwater pumping capacity.

B. Hardship Exception

Any person may apply for an exception from the provisions of this Ordinance on the grounds of economic hardship. Such application shall state the nature of the hardship and the

reasons why an exception to this Ordinance is warranted. The application shall explain the need for the well and the impact the proposed well may have on surrounding groundwater levels. The application shall state why the delay in pursuing the use until the County completes its evaluation of the regulations, and makes those amendments, revisions, or modifications to the regulations as the Board deems appropriate, would constitute a taking in contravention of the law. The application shall also explain whether there are alternatives to the proposed well which have been investigated and the applicant's opinion of such alternatives. Such explanation shall, if appropriate, be accompanied by technical information to support the explanation. The application for a hardship exemption shall be heard by the Planning Commission pursuant to the procedures established in Section 8-2.225 of the Yolo County Code of Ordinances. The Planning Commission's decision may be appealed to the Board of Supervisors upon payment of the necessary appeal fees.

SECTION 4. WELL PERMIT TERM

Notwithstanding Yolo County Code section 6-8.804(b), all well permits (exempt and non-exempt wells) will continue to be valid for two years from the date of issuance while this Urgency Ordinance is in effect. If a permittee cannot complete the permitted well within two years, and applies for an extension before the permit expires, the County may extend the permit for two additional years. All non-exempt well permit renewals are subject to compliance with the County's well permitting procedures that may be in effect at the time the renewal is approved, including this Urgency Ordinance, as applicable.

SECTION 5. CEQA FINDING

The Board of Supervisors hereby finds that it can be seen with certainty that there is no possibility that the adoption of this Urgency Ordinance will have a significant effect on the environment because the Urgency Ordinance will simply maintain requirements for well separation distances and GSA review to protect against impacts of new wells. It is therefore not a project under CEQA as the temporary well permit procedures on the will not result in a direct or reasonably foreseeable indirect change in the environment. (CEQA Guidelines, Section 15060(c)(2).) It is further exempt from CEQA pursuant to Sections 15307 and 15308 of the CEQA Guidelines (Class 7 and 8 categorical exemptions) as an action taken to assure the maintenance, restoration, enhancement, and protection of natural resources and the environment where the regulatory process involves procedures for protection of the environment. In addition, this ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility that this interim urgency ordinance may have a significant effect on the environment.

SECTION 6. SEVERABILITY

If any section, sub-section, sentence, clause, or phrase of this Urgency Ordinance is held by a court of competent jurisdiction to be invalid, such decision shall not affect the remaining

portions this Urgency Ordinance. The Board of Supervisors hereby declares that it would have passed this Urgency Ordinance, and each section, sub-section, sentence, clause, and phrase hereof, irrespective of the fact that one or more sections, sub-sections, sentences, clauses, and phrases be declared invalid.

SECTION 7. EFFECTIVE DATE

This uncodified Urgency Ordinance shall take effect upon its adoption by a 4/5 or greater vote of the Board of Supervisors and shall be in force immediately through and including October 31, 2025, unless extended prior to expiration.

I HEREBY CERTIFY that the foregoing Urgency Ordinance was introduced before the Board of Supervisors of the County of Yolo and that the Board passed and adopted this Urgency Ordinance on the 22nd day of October, 2024, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Lucas Frerichs, Chair
Yolo County Board of Supervisors

ATTEST:
Julie Dachtler, Senior Deputy Clerk
Board of Supervisors

APPROVED AS TO FORM:
Philip J. Pogledich, County Counsel

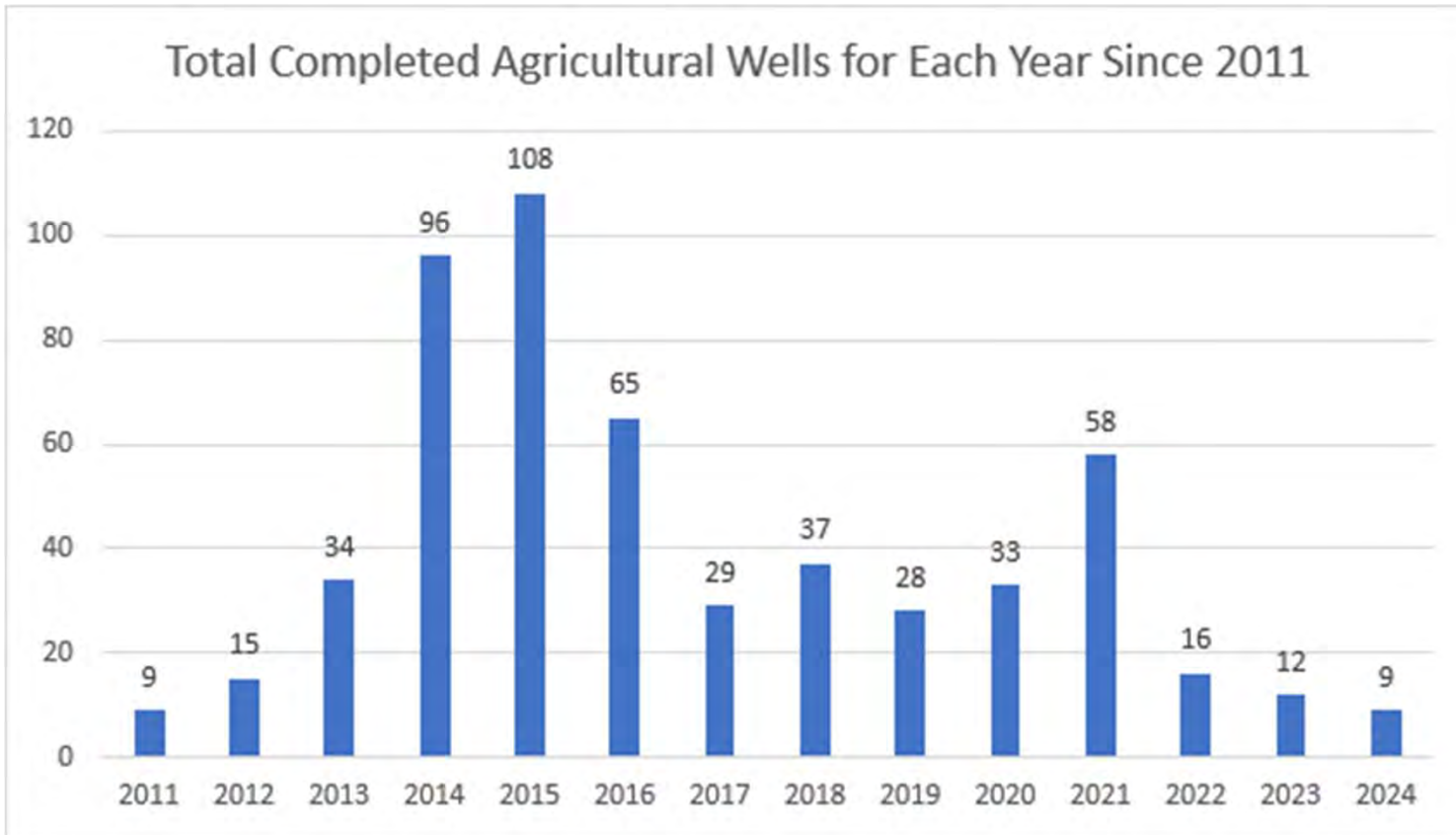
By _____
Deputy (Seal)

By _____
Kimberly Hood
Chief Assistant County Counsel



Agricultural Well Permitting Urgency Ordinance

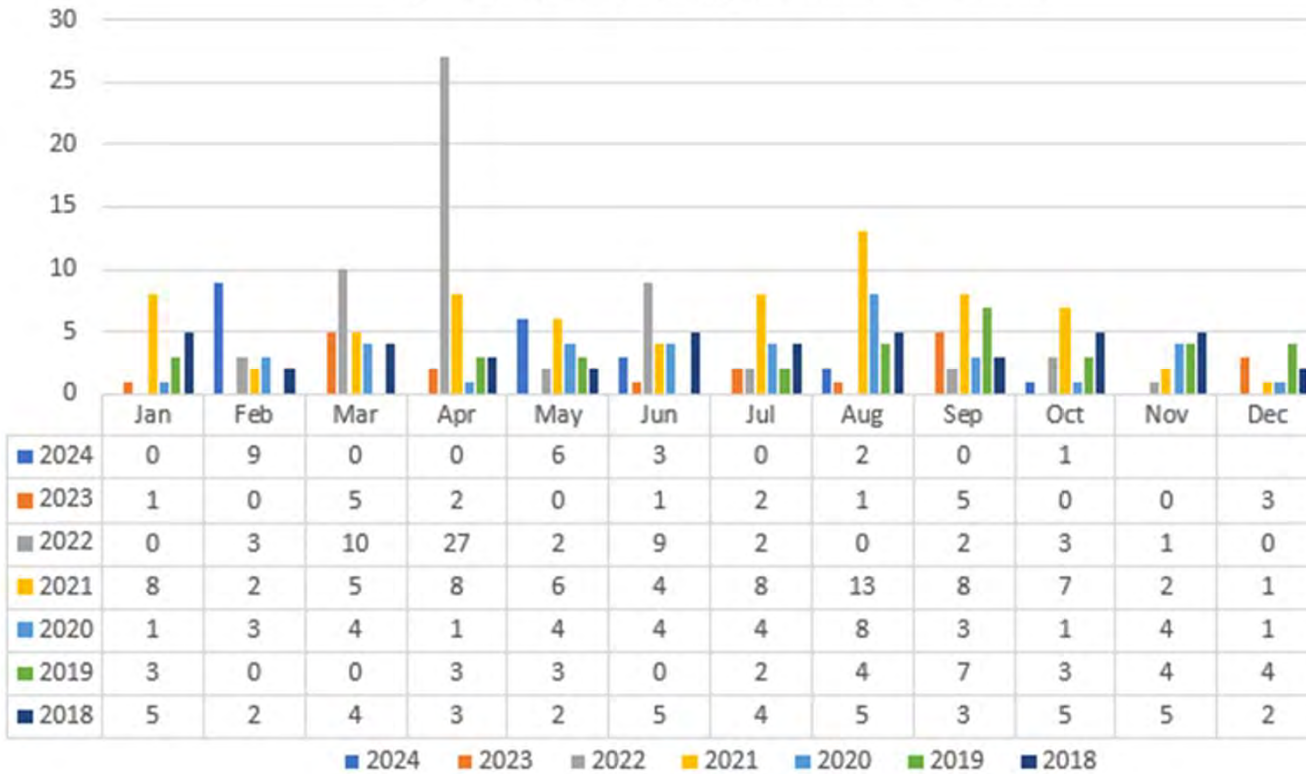
Division of Environmental Health



As of October 15, 2024



Agricultural Well Applications Received



Year	Total Number of Ag Well Permits
2024*	21
2023	19
2022	59
2021	72
2020	38
2019	33
2018	45

*As of October 15, 2024

Background

- On March 28, 2022, Governor Newsom issued Executive Order (EO) N-7-22 which required additional review and analysis of applications for groundwater well permits. On February 13, 2023, EO N-7-22 was replaced by EO N-3-23, however requirements regarding well permitting remained unchanged.
- Included in the EO were requirements that prior to issuing a new water well permit, the application must be evaluated, and a determination must be made that:
 1. The proposed well is not inconsistent with any applicable Groundwater Sustainability Plan (GSP) and would not decrease the likelihood of achieving a sustainability goal for the basin
 2. The proposed well is not likely to interfere with the production and function of existing nearby wells and is not likely cause land subsidence that impacts nearby infrastructure.
- The additional review and analysis requirements from EO N-7-22 and EO N-3-23 prompted Yolo County Environmental Health (YCEH) to work with a hydrogeologist from Luhdorff & Scalmanini, Consulting Engineers (LCSE) to develop a Technical Memorandum (TM) which contains temporary well permitting procedures for agricultural wells most recently approved by the Board on April 9, 2024.
- The Yolo Subbasin Groundwater Agency (YSGA) worked with its own hydrogeologists at West Yost to develop its verification process with the most recent verification process and identification of “Focus Areas” approved by the YSGA Board in March 2024.





Lifting of EO Well Permitting Requirements

- On September 5, 2024, the Governor issued a new EO N-3-24 rescinding certain provisions of prior EOs related to the drought, including the additional review and analysis required by EO N-3-23.
- However, the Governor has maintained the drought state of emergency in Yolo County.
- The EO review process in Yolo County developed with independent hydrogeologists and public input revealed the need to continue the additional review implemented under the EO while the County completes longer-term well permit ordinance updates.
- YCEH anticipates that the long term well permit ordinance update will include continued submission of well permits for review by the applicable GSA to ensure proposed wells are consistent with the applicable GSP
- An update to the County's well permit ordinance is expected after the California Department of Water Resources (DWR) completes the update to Bulletin 74: California Well Standards.



DWR Bulletin 74

- DWR is in the process of updating Bulletin 74: California Well Standards. The standards were last updated in 1991.

Bulletin 74 Update Timeline

- Bulletin 74 Technical Advisory Committee Review: Spring 2021 – Winter 2021/22
- Prepare Draft Standards: Spring 2022 – Fall 2024
- Conduct State and Partner Agency Reviews: Winter 2024/25 – Summer 2025
- Release for Public Comment: Summer 2025
- Final Revisions and Approval: Fall – Winter 2025/26
- Publish Final Standards: Spring 2026

Proposed Urgency Ordinance



- The proposed urgency ordinance temporarily extends the well permitting procedures enacted in compliance with the EO to protect public health, safety, and welfare while considering long term revisions to well permitting regulations.
- The primary elements of the urgency ordinance are:
 - Well separation distance requirements developed by the LSCE TM. *Existing wells owned by the applicant on the same parcel or adjacent parcel are exempt from minimum well separation distance requirements.*
 - Requiring review by the applicable GSAs. The level of GSA review is to be determined by perspective GSA.
 - Maintains exemptions for domestic wells, public supply system wells, monitoring wells and minor alterations to existing wells.
 - No longer requires additional information for replacement wells regarding the use history and instead requires that the replacement well meet the minimum separation distances from other wells.
 - Adds a hardship exception.
 - Maintains the two-year term for well permits while the urgency ordinance is in place which was approved during previous drought periods and with the latest TM update.

YSGA Well Permit Review

- Focus Area Map
 - Hydrologic data
 - Reported citizen concerns
 - Areas that may be sensitive to groundwater pumping and warrant additional analysis

- 2-Tier Well Permit Review Procedures
 - Tier 1: Hydrogeologic evaluation and impact assessment of well design
 - Tier 2: Focused Hydrogeology Report

- November 18, 2024 YSGA Board meeting

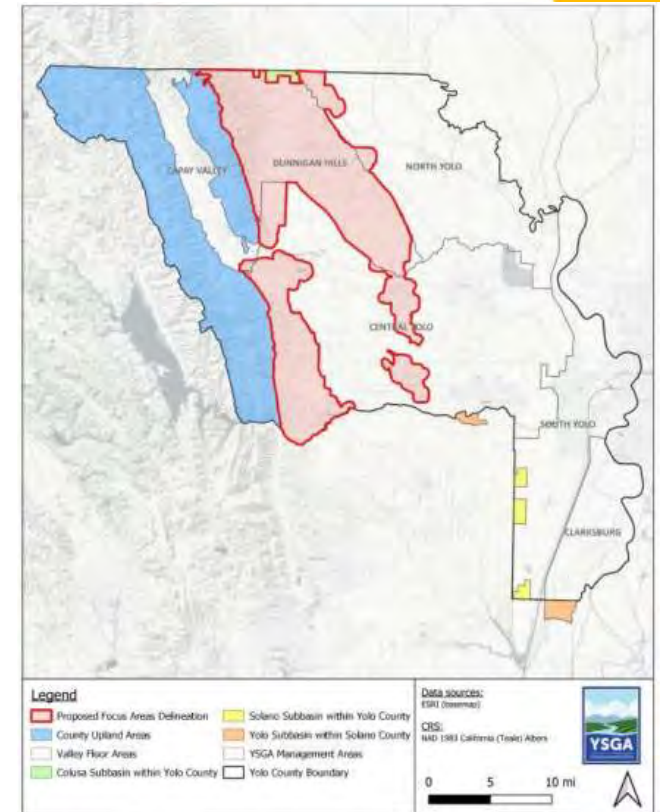


Figure 1. Proposed Delineated Focus Areas Relative to County Defined Valley Floor and Upland Areas.



Recommendation:

- Introduce by title only and waive further reading of an urgency ordinance entitled, "An Urgency Ordinance Temporarily Extending Certain Requirements On The Issuance Of Agricultural Water Well Permits In The Unincorporated Area Of Yolo County Pending Completion Of Long-Term Well Ordinance Amendments;"
- Receive a staff presentation and public comment;
- Determine that adoption of the ordinance is exempt from CEQA pursuant to CEQA Guidelines, Sections 15060(c)(2), 15307, 15308, and 15061(b)(3); and
- Adopt the proposed urgency ordinance based upon the findings included in the proposed ordinance (4/5 vote required).

Questions?

Dear Honorable Supervisors

October 15, 2024

Thank you for your support and dedication to furthering Sustainability with Yolo County's groundwater issues. I support the Yolo County Environmental Health efforts to develop the Urgency Ordinance in response to Governor's Newsom September 4th Executive Order (EO) N-3-24. I understand that if the Urgency Ordinance if enacted will be in-effect for an approximate two-year period while the County awaits the DWR's completion of Bulletin 74, the updated California Well Standards that will be adopted by counties throughout California.

Governor's Newsom's recent EO concerning the drought state of emergency terminated two, key well permitting requirements: 1) that newly proposed wells be spaced such that the new well won't harm existing wells and 2) that the GSA, in this case the YSGA, shall certify that proposed new wells will not adversely affect basin sustainability goals. Specifically, in proposing an Urgency Ordinance, the YCEH recognizes that these well permitting requirements may result in significant impacts to local and basin-wide groundwater levels if well permits are no longer subject to YCEH's spacing requirements and that sustainability is not certified by the YGSA. We support the intended actions in the proposed ordinance.

URGENCY ORDINANCE COMMENTS

Minimum Well Separation Distance

The Urgency Ordinance presents in Table 1 minimum well separation distances that a proposed new well is unlikely to interfere with the function and operation of nearby wells. Documentation of the methods used to develop the minimum well separation distance criteria was attached as Exhibit C in the Urgency Ordinance and incorporated by reference (LSCE, December 16, 2022 TM). Comments to the Table 1 well separation distances are as follows:

Hydrogeologic Areas

Table 1 applies the well separation criteria assuming that the Yolo Subbasin has two different hydrogeologic areas: a "Valley Floor area" and the "Upland area". It would seem that using such a broad generalization of hydrogeological conditions would result in an unlikely safe well spacing determination for some geographical areas located in the Yolo Subbasin. Why does the Urgency Ordinance Table 1 not identify and align the "Upland area" with the more recently created Focus Area of concerns which questions the hydrogeological understanding of the Yolo Subbasin? The Focus Areas has unique hydrogeological conditions that need to be considered separately, they have unknown issues and should be evaluated very cautiously and differently than "Valley Floor Area" criteria. Until those aquifers are clearly mapped out and understood and have a known capacity of extraction could they be added into the Valley Floor Area I, only if appropriate. As data makes it clearer in these areas, there is the potential that new wells will absolutely adversely affect subbasin sustainability goals and in those areas no new wells should be approved.

It should be recognized that spacing requirements for new wells are based on incomplete knowledge of hydrogeological conditions and that impacts may arise despite best efforts. In those cases, YCEH should include a process to monitor actual interference, assess adverse impacts, and have mitigation measures that places responsibility on the permittee.

Screening Intervals

The analysis of adequate well spacing does not consider the well depth or the vertical well screened intervals in either the proposed well or the nearby wells possibly being impacted. How do the Table 1 well horizontal well separation distances relate to wells constructed with different screened intervals and or specifically those wells with multiple screened intervals?

Pumping Rates

The referenced pumping interference documentation presents assumptions on the agricultural well pumping rate and how long the pump would be operated (duration). The calculations in the referenced document assumes the well pump will be operated at half of the pump's design capacity, and assumes the pump will be operate 12 hours on and 12 hours off over a several month period. It would seem that the analysis must incorporate cases

reflecting agricultural irrigation scheduling that have the potential to induce higher drawdown/interference, not by assuming use of half the potential pump capacity.

GSA Verification Process

The Urgency Ordinance refers to the applicable GSA verification process but does not discuss the specifics of the YSGA's process for findings concerning impacts to basin sustainability goals. For example, the YSGA developed a Focus Area map, and a tiered permit review process for new wells proposed in the Focus Area. Is the YSGA tiered well permit review process flow chart still applicable? Are there changes in the YSGA's well permit review process changed as a result of Governor Newsom's recent EO?

I support the overall recommendations for the Urgency Ordinance, and urge the Board of Supervisors to approve the extension of the well permitting procedures that was enacted in compliance with past and current Eos. Having a clear well permitting procedure and the GSA Verification process is the first step towards achieving groundwater sustainability. Ultimately our goal is to understand and design procedures to assess the cumulative groundwater capacity, only then will we know how much groundwater we have available for our farms and communities.

Thank you,
Annie Main
Good Humus Produce
Hungry Hollow, Yolo County

Julie Dachtler

From: Scott Steward <scott@stonestrowstrat.com>
Sent: Thursday, October 17, 2024 12:17 PM
To: Jim Provenza
Cc: Sheila Allen; Clerkoftheboard
Subject: RE: October 22 BOS Meeting - Well Requirements Ordinance

CAUTION: External Sender. Please do not click on links or open attachments from senders you do not trust.

Dear Supervisor Provenza and honorable Supervisors and Staff,

I encourage the board to vote in favor of the ordinance to extend requirements on the well permits temporarily. The recommendation from Environmental Health is thorough and, from what I read, recommends a continuation of what has already been established by our Yolo Subbasin Groundwater Agency (YSGA) and the County's Environmental Health Division.

In addition to the good work of April Meneghetti in leading Environmental Health and the good work of Kristin Sicke in leading the work of the YSGA to establish sound well policy. I would also like to recognize Annie Main and John Fawcett of the concerned citizen's group in Winters and Hungry Hollow. Without the exceptional commitment of these citizens (their peers) and executives, we would not have the opportunity to build a sustainable water plan.

This draft ordinance is necessary and, while essential, merely establishes a step toward understanding the cumulative impact of subbasin water drafting in the area.

Sincerely

Scott Steward

DRAFT ORDINANCE

No. 2024 ____ AN URGENCY ORDINANCE TEMPORARILY EXTENDING CERTAIN REQUIREMENTS ON THE ISSUANCE OF AGRICULTURAL WATER WELL PERMITS IN THE UNINCORPORATED AREA OF YOLO COUNTY PENDING COMPLETION OF LONG-TERM WELL ORDINANCE AMENDMENTS FOR AGRICULTURAL WELLS

As Per Page 4, Paragraph 2,

"Failure to enact this Urgency Ordinance during the stated period (i.e., while the County completes long-term well permit ordinance updates) may result in significant irreversible change to groundwater levels if well permits are no longer subject to the separation requirements and coordination with the GSAs implemented under the EO, pending further review, which provided additional analysis to ensure new wells are consistent with the adopted GSP and have sufficient separation from existing wells to minimize interference with nearby wells. Based on the foregoing, the Board of Supervisors does hereby declare this Urgency Ordinance is necessary to extend the well permitting procedures enacted in compliance with the EO, as modified herein based on the County's experience with the current EO process to date, to protect the public health, safety, and welfare while considering long-term revisions to well-permitting regulations."

Julie Dachtler

From: Juliette Beck <juliettebuxtonbeck@gmail.com>
Sent: Monday, October 21, 2024 1:16 PM
To: Clerkoftheboard
Subject: Please extend Temporary Ag Well Permitting Requirements

CAUTION: External Sender. Please do not click on links or open attachments from senders you do not trust.

Dear Supervisors,

I am writing to urge you to **support the urgency ordinance extending agricultural well permitting requirements**. Sustainable groundwater management is urgent and essential. Please support the efforts and leadership of Kristin Sicke in the YSGA and concerned citizens/local farmers Annie Main and John Fawcett.

Thank you for your attention to this matter.

Sincerely,
Juliette Beck

--

Mother, eco-justice advocate, writer
co-founder, [YoloSol Collective](#)

“California faces a water and climate crisis that will only be solved by foregrounding Indigenous management practices. Our restorative environmental management and tribal place-based knowledge are best practices for climate resiliency. If we teach the next generation how to better manage and live with the land, they will become the leaders that can solve our challenges.” --Dr. Cutcha Risling Baldy, Chair, Humboldt State Native American Studies Department

Julie Dachtler

From: linda bell <v1o@omsoft.com>
Sent: Monday, October 21, 2024 1:20 PM
To: Clerkoftheboard
Subject: Comment on Draft Urgency Ordinance No.2024- for October 22 Yolo Board of Supervisor's Meeting

CAUTION: External Sender. Please do not click on links or open attachments from senders you do not trust.

Members of the Yolo County Board of Supervisors,

I thank you for the opportunity to comment on the Draft Urgency Ordinance No. 2024- .

My comments have do with the legal ramifications of Governor Newsom's Executive Orders N-7-22 through N-3-24.

Governor Newsom's abrupt entrances into, and out of, the California Sustainable Groundwater Act (SGMA) and County Water Well Permitting process through Executive Order (EO) N-7-22, and EO N-3-24, have created legal flurries in response to both declarations.

EO N-7-22 , Paragraph 9a resulted in:

1)The YSGA creating , and inserting into the County Permitting Program, Resolution No.22-01, which included a Rebuttable Presumption clause to cover the fact that the YSGA was being asked to make decisions that it's just adopted GSP was not, at the time of the EO, fully prepared to answer; and

2) continued a state-wide debate about the ministerial versus discretionary roles of County agencies in proposing, and adopting, measures to increase the ability of their well permit process to respond to the findings of research gathered through SGMA.

Even though EO N-7-22's entrance into the well permit process, under the declaration of drought conditions, did cause legal tensions,..... it resulted in valuable research that furthered the GSA's, and County's, knowledge of the sustainability of the Yolo Subbasin's groundwater resources. However,..... with the retraction of Paragraph 9, while still acknowledging the ongoing impacts of drought in the Yolo Subbasin's watersheds;.....the incorporation of this knowledge into the Well Permitting Process has been put into jeopardy.

EO N-3-24's retraction of Paragraph 9 of EO N-7-22, called into question:

The enforceability of important segments of the Yolo County Environmental Health Division's (YCEH) Water Well Program that were instigated while complying with the directives of Paragraph 9. This introduction of a "compliance" restriction in use, can be seen in the October 31, 2023, West Yost Technical Memorandum for the "Delineation of Focus Areas". It states: "*These Focus Areas are not intended to be used outside of well permitting compliance with the EOs and may be subject to change and revision based on future feedback from the YSGA Board of Directors and staff, stakeholders, and the public.*"

If the "findings of fact" included in Section 1 of the Draft.....can present a strong enough Ministerial legal case for the preservation of components of the YCEH's Well Water Permitting Procedure that were included during the EO Compliance process,.....then the Board of Supervisors should approve the Draft Urgency Ordinance.

Respectfully Yours,

Linda Bell
v1o@omsoft.com



County of Yolo

BOARD OF SUPERVISORS

625 Court Street, Room 204
Woodland, California 95695-1268
(530) 666-8195 FAX (530) 666-8193
www.yolocounty.gov

First District – **Oscar Villegas**
Second District – **Lucas Frerichs**
Third District – **Mary Vixie Sandy**
Fourth District – **Jim Provenza**
Fifth District – **Angel Barajas**

Acting County Administrator – Mark Bryan
Senior Deputy Clerk of the Board – Julie Dachtler

LEGAL NOTICE

BOARD OF SUPERVISORS

NOTICE OF URGENCY ORDINANCE SUMMARY

The Yolo County Board of Supervisors will receive public comment and will consider the introduction, waiver of reading, and possible adoption of an urgency ordinance at its Regular Board meeting on **Tuesday, October 22, 2024**, at 625 Court Street, Room 206, Woodland, CA, 95695 entitled:

AN URGENCY ORDINANCE TEMPORARILY EXTENDING CERTAIN REQUIREMENTS ON THE ISSUANCE OF AGRICULTURAL WATER WELL PERMITS IN THE UNINCORPORATED AREA OF YOLO COUNTY PENDING COMPLETION OF LONG-TERM WELL ORDINANCE AMENDMENTS

On September 5, 2024, Governor Newsom issued a new Executive Order (EO) N-3-24 that rescinded certain provisions of prior EOs related to the drought, included the well permitting procedures required by EO N-3-23. The well permitting procedures from EO N-3-23 (and prior to that EO N-7-22) are what prompted Environmental Health to work with a hydrogeologist from Luhdorff & Scalmanini, Consulting Engineers (LCSE) to develop a Technical Memo (TM), which contains temporary well permitting procedures for agricultural wells which was most recently approved by the Board on April 9, 2024.

The proposed urgency ordinance temporarily extends the well permitting procedures enacted in compliance with the EO to protect the public health, safety, and welfare while considering long-term revisions to well permitting regulations and minimize disruptions in well permit review through October 31, 2025 in the unincorporated areas of Yolo County. The primary elements of the EO well permitting process being extended are the well separation distances developed by the LSCE TM and requiring review by the applicable Groundwater Sustainability Agencies. Domestic wells (wells producing less than two acre-feet per year for individual domestic water use), public supply system wells as defined in Health & Safety Code § 116275, monitoring wells or other wells not intended for extraction of groundwater, and minor alterations to certain existing wells are exempt from the urgency ordinance.

The full text of the proposed urgency ordinance is available upon request and is further available on the County's website (www.yolocounty.gov) and in the office of the Clerk of the Board. Persons interested in this matter are encouraged to appear at the public hearing on Tuesday, October 22, 2024, and to offer comments during the course of the hearing. Those wishing to appear may do so in-person or by submitting written comments by 4:00 p.m. the Monday prior to the public hearing to provide Board Members and interested members of the public a reasonable opportunity to review comments in advance of the meeting. Any written comments received by 4:00 p.m. will be available as an attachment corresponding with the agenda item; the agenda and staff report will be posted at least 72 hours prior to the meeting (www.yolocounty.gov). Written comments should be sent to Clerk of the Board, 625 Court Street, Room 204, Woodland, CA 95695 or emailed clerkoftheboard@yolocounty.gov.

Dated: October 16, 2024

Julie Dachtler, Senior Deputy Clerk
Yolo County Board of Supervisors



COUNTY OF YOLO

Board of Supervisors

District 1, **Oscar Villegas**
District 2, **Lucas Frerichs**
District 3, **Mary Vixie Sandy**
District 4, **Jim Provenza**
District 5, **Angel Barajas**

625 Court Street, Room 204 ▪ Woodland, CA 95695
(530) 666-8195 ▪ FAX (530) 666-8193
www.yolocounty.org

Interim County Administrator, **Dirk Brazil**
Sr. Deputy Clerk of the Board, **Julie Dachtler**

PUBLIC NOTICE

ADOPTED ORDINANCE NO. 1569

NOTICE is hereby given that at its regularly scheduled meeting of October 22, 2024, the Yolo County Board of Supervisors adopted Ordinance No. 1569, an urgency ordinance temporarily extending certain requirements on the issuance of agricultural water well permits in the unincorporated area of Yolo County pending completion of long-term well ordinance amendments

The Ordinance was adopted by the following vote:

AYES: Vixie Sandy, Barajas, Villegas, Frerichs.

NOES: None.

ABSENT: Provenza.

ABSTAIN: None.

Copies of the full text of the Ordinance are available at www.yolocounty.org/agendas or at the Clerk of the Board of Supervisors Office, 625 Court Street, Room 204, Woodland, CA 95695.

Dated: October 30, 2024

Julie Dachtler, Senior Deputy Clerk
Yolo County Board of Supervisors

ORDINANCE NO. 1323

AN ORDINANCE OF THE COUNTY OF GLENN AMENDING THE GLENN COUNTY CODE BY AMENDING TITLE 20, CHAPTER 20.08 RELATING TO WATER WELL DRILLING AND STANDARDS

THE BOARD OF SUPERVISORS OF THE COUNTY OF GLENN ORDAINS AS FOLLOWS:

SECTION 1: The Glenn County Code is hereby amended by amending Title 20, Chapter 20.08 to read in its entirety as follows:

Chapter 20.08

WATER WELL DRILLING AND STANDARDS

Sections:

20.08.010	<i>Purpose.</i>
20.08.020	<i>Authority.</i>
20.08.030	<i>Definitions.</i>
20.08.040	<i>Duties and Powers of Local Enforcement Agency.</i>
20.08.050	<i>Well Standards.</i>
20.08.060	<i>Permit Required.</i>
20.08.070	<i>Permit Application, Issuance and Term.</i>
20.08.080	<i>Exempt Wells.</i>
20.08.090	<i>Consultant Review Required for Non-Exempt Wells</i>
20.08.100	<i>Reserved.</i>
20.08.110	<i>Permit Approval.</i>
20.08.120	<i>Inspections.</i>
20.08.130	<i>New, Replacement and Repaired Exempt Well Minimum Depth Requirements.</i>
20.08.140	<i>Well Completion Report.</i>
20.08.150	<i>Electric Logging (E-Log) Required.</i>
20.08.160	<i>Replacement of Existing Wells.</i>
20.08.170	<i>Abandoned Well Exemption/Inactive Well</i>
20.08.180	<i>Well Destruction.</i>
20.08.190	<i>Permit Expiration, Revocation, Rescission and Hazard Abatement.</i>
20.08.200	<i>Appeals.</i>
20.08.210	<i>County Action Not Guarantee.</i>
20.08.220	<i>Conflicting Regulations.</i>
20.08.230	<i>Violations & Penalties.</i>

20.08.010 Purpose.

The Board of Supervisors finds that the protection of groundwater within the county is of major concern to the residents of the county. It is the purpose of this chapter to provide for the placement, construction, replacement, repair, modification and destruction of wells in such a manner that the groundwater of this county will not be contaminated, depleted or polluted, and that water obtained from wells will be suitable for beneficial use and will not jeopardize the health, safety or welfare of the residents of this county. In addition,

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this chapter attempts to reduce potential well interference problems to existing wells, public trust resources of navigable waterways and potential adverse impacts to the environment, which could be caused by the placement, construction, replacement, repair, modification and destruction of wells where a permit is required under this chapter.

20.08.020 Authority.

The chapter is adopted pursuant to the Porter-Cologne Water Quality Control Act, Water Code Section 13000 et seq. as amended from time to time.

20.08.030 Definitions.

The following words and phrases shall, for the purpose of this chapter, have the meanings ascribed to them in this section:

A. "Abandoned wells." A well is "abandoned" if it is not used for a period of 1 year unless the owner demonstrates, by meeting all of the following conditions, an intent to use the well again (Health and Safety Code Section 115700):

1. The well shall not allow impairment of ground water quality;
2. The top of the well shall be sealed to prevent removal of the seal, prevent unauthorized access and illegal disposal, and prevent a safety hazard to humans and animals;
3. The well shall be marked to be easily visible and easily identified as a well; and
4. The area surrounding the well shall be kept clear of brush, debris, and waste materials.

B. "Agricultural wells" means water wells used to supply water for irrigation and growing of crops or production of other agricultural commodities for commercial purposes.

C. "Board" means the Glenn County Board of Supervisors.

D. "Cathodic protection well" means any artificial excavation constructed by any method for the purpose of installing equipment or facilities for the protection electrically of metallic equipment in contact with the ground commonly referred to as cathodic protection.

E. "Community water supply well" means a water well for domestic purposes in systems subject to Chapter 7 of Part 1 of Division 5 of the California Health and Safety Code (commencing with section 4010) as amended from time to time.

F. "Completion or completion operation" means any work conducted after artificial excavation to include:

1. Placement of well casing,
2. Gravel packing,
3. Sealing,

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4. Casing perforation, or
5. Other operations deemed necessary by the LEA.

G. "Consultant" means a California Licensed Professional Geologist or Engineer with a Certified Hydrogeologist Specialty Certification.

H. "County" means the County of Glenn.

I. "Contamination" means an impairment of the quality of water to a degree which creates a hazard to the public health through poisoning or through spread of disease.

J. "Destruction or destroy" means the complete filling of a well in such a manner that it will not produce water or act as a conduit for the interchange of water, when such interchange will result in deterioration of the quality of water in any water-bearing formations penetrated.

K. "Domestic water well" means a well that will provide less than two (2) acre-feet per year of groundwater and will be devoted exclusively to the residential and related yard, garden and barnyard uses and small personal crops within the same parcel of land as the served dwelling house. Such uses do not include the growing of crops, or production of other agricultural commodities, for commercial purposes.

L. "Electric logging" or "E-Log" means lowering a device used to measure the electric resistance of the rock and soil layers in the downhole portion of the well.

M. "Groundwater" means water in the zone of saturation. Groundwater is presumed to be percolating, although it does occur in known and definite channels.

N. "Health officer" means the Glenn County Health Officer or duly authorized registered environmental health specialist.

O. "Hydrology" shall mean the origin, distribution, and circulation of water through precipitation, streamflow, infiltration, groundwater storage, and evaporation.

P. "Inactive well" means a water well that has not failed and is not currently being used.

Q. "Industrial wells" mean water wells used to supply industry on an individual basis.

R. "Livestock well" means a water well used for the watering of livestock and other uses directly related to the operation of a feedlot, confined livestock operation or dairy.

S. "Local Enforcement Agency" or "LEA" means the Glenn County Environmental Health Department, which is designated as such by the Board of Supervisors.

T. "Monitoring well" means a well that is used for monitoring or sampling the condition of a water-bearing aquifer, such as water pressure, depth, movement or quality.

U. "Navigable waters" means waterways capable of being navigated by oar or motor-propelled small craft, consistent with the California public right of navigation test.

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V. "Overdraft" shall mean the condition of a groundwater basin where the amount of water withdrawn exceeds the amount of water replenishing the basin over a period of time. Also, as the point at which extractions from the basin exceed its safe yield plus any temporary surplus.

W. "Percolation" shall mean the movement of water through the soil to the groundwater table.

X. "Permeability" shall mean the capability of soil or other geologic formation to transmit water.

Y. "Person" includes any person, firm, association, corporation, organization, partnership, business trust, company, or special district formed under the laws of the State of California.

Z. "Piezometric surface" shall mean the surface to which the water in a confined aquifer will rise.

AA. "Pollution" means an alteration of the quality of water to a degree which unreasonably affects (1) Such waters for beneficial uses; or (2) Facilities which serve such beneficial uses. Pollution may include contamination.

BB. "Porosity" shall mean voids of open spaces in alluvium, other soils and rocks that can be filled with water.

CC. "Public nuisance," when applied to a well, means any well which threatens to impair the quality of ground water or otherwise jeopardize the health and safety of the public.

DD. "Public trust resources" means waterways the government is obligated to hold in trust pursuant to the Public Trust Doctrine for the benefit of the public for purposes of commerce, navigation, recreation, fishing, and preservation of wildlife habitat and natural resources.

EE. "Public water system well" means a water well that is constructed or used to supply water for domestic purposes in systems subject to the requirements of sections 116275 et seq. of the California Health and Safety Code (California State Safe Drinking Water Act) as amended from time to time.

FF. "Radius of influence" shall mean the radial distance from the center of a well bore to the point where there is no lowering of the water table or potentiometric surface (the edge of the well's cone of depression).

GG. "Recharge" shall mean flow to groundwater storage from precipitation, infiltration from streams, irrigation, spreading basins, and other sources of water.

HH. "Repair" or "Modification" means changing the dimensions of a well, deepening of a well, reperforation or the addition of an inner well casing.

II. "Replacement well" means the construction of a new well to replace an existing well where the existing well is destroyed under permit within 90 days of completion of the replacement well.

JJ. "Safe yield" shall mean the maximum quantity of water which can be withdrawn annually from a groundwater supply under a given set of conditions without causing an undesirable result. The phrase "Undesirable Result" is intended to refer to a gradual lowering of the groundwater levels resulting in, or tending to result in, the eventual depletion of or the substantial diminution of the supply of water.

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KK. "Saltwater intrusion" shall mean the movement of saltwater into freshwater aquifers.

LL. "Specific capacity" shall mean the volume of water pumped from a well in gallons per minute per foot of drawdown.

MM. "Spreading water" shall mean discharging native or imported water to a permeable area for the purpose of allowing it to percolate to the zone of saturation. Spreading, artificial recharge and replenishment all refer to operations used to place water in a groundwater basin.

NN. "Test or exploratory hole" means an excavation used for determining the nature of underground geological or hydrological conditions, whether by seismic investigation, direct observation, or any other means.

OO. "Transmissivity" shall mean the rate of flow of water through an aquifer.

PP. "Usable storage capacity" shall mean the quantity of groundwater of acceptable quality that can be economically withdrawn from storage.

QQ. "Water table" shall mean the surface where groundwater is encountered in a well in an unconfined aquifer.

RR. "Well" means any artificial excavation constructed by any method for the purpose of extracting water from or injecting water into, the underground, or for providing cathodic protection or electrical grounding of equipment, or for making tests or observations of underground conditions, or for any other similar purpose. Wells include, but shall not be limited to, community water supply wells, individual domestic wells, livestock wells, industrial wells, agricultural wells, cathodic protection wells, electrical grounding wells, test and exploratory holes and observation wells, as defined herein, and other wells whose regulation is necessary to fulfill the purpose of this chapter. This definition shall not include oil and gas wells, or geothermal wells constructed under the jurisdiction of the State Department of Conservation, except those wells converted to use as water wells.

SS. "Well drilling contractor" means a contractor licensed in accordance with the provisions of the Contractor's License Law, Chapter 9 of Division 3 of the Business and Professions Code (commencing with section 7000), as amended from time to time, and who shall possess a valid C-57 water well contractor's license.

TT. "Zone of saturation" shall mean the area below the water table in which the soil is completely saturated with groundwater.

20.08.040 Duties & Powers of the Local Enforcement Agency (LEA).

The LEA shall enforce all the provisions of this chapter and may issue correction notices, notices of violation, stop work orders, and citations for any violations of this chapter, or any permit issued pursuant to this chapter.

20.08.050 Well Standards.

A. In order to provide minimum standards for the proper regulation of well placement, construction, replacement, repair, modification and destruction, the State of California water well standards (Department of Water Resources Bulletin 74-81 and 74-90) which may be amended from time to time, are hereby adopted, incorporated and made a part of this chapter by this reference without further publication, as though set forth at length in this chapter and are hereby declared to be the well placement, construction, replacement, repair, modification and destruction code of Glenn County, except where superseded by this chapter.

B. All annular well seals shall extend at least five (5) feet into the first low permeability stratum encountered and to at least fifty (50) feet. The annular well seal minimum depth may be reduced when salinity or bedrock restrictive layers are encountered during well construction, provided that the well complies with all other sections of this chapter. The LEA shall require that the well complies with the annular well seal minimum depth requirements to the extent reasonably possible. Salinity or bedrock restrictive layers shall be confirmed thru samples, in writing, and approved by the LEA.

C. All well destruction seals shall extend at least fifty (50) feet below ground surface or to the total depth if the well is less than fifty (50) feet in depth.

D. A domestic water well shall only serve the parcel on which it is located and shall not cross property lines.

E. All agriculture, industrial, community water supply, domestic, and livestock water wells shall be tested for total dissolved solids (TDS) or electrical conductivity (EC) and the results shall be submitted to the LEA before the casing is installed.

F. All saline, poor-quality, polluted or contaminated portions of the aquifer shall be sealed from good-quality water portions of the aquifer to prevent contamination.

G. All agriculture, industrial, community water supply, domestic, and livestock water wells shall be disinfected, using the conventional and acceptable methods, at the time of the construction, replacement, repair or modification and prior to the well being used or placed into service. Water used for the drilling of community water supply and domestic water supply wells shall be secured from a potable source or another groundwater well.

H. All agriculture, industrial, community water supply, domestic, and livestock water wells shall be located with a minimum setback of fifty (50) feet, as measured from top of the bank, from, but not limited to, lakes, rivers, streams, ponds, canals, reservoirs and wetlands.

I. All agriculture, industrial, community water supply, domestic, and livestock water wells shall be located with a minimum setback of ten (10) feet from a property line.

J. All agriculture, industrial, community water supply, domestic, and livestock water wells shall have a casing that extends at least eighteen (18) inches above all known levels of flooding and at least eighteen (18) inches above grade.

K. Steel well casing shall be no less than ten gauge in thickness.

20.08.060 Permit Required.

No person, firm, association, organization, partnership, joint venture, business trust, corporation, company, federal, state or local agency, or special district formed under the laws of this state shall, within the County of Glenn, construct, replace, repair, modify or destroy a well unless a permit has first been obtained and approved by the LEA as provided in this chapter.

20.08.070 Permit Application, Issuance & Term.

Applications for permits shall be made to the LEA together with the required fee established by the board of supervisors of the County of Glenn. If construction, replacement, repair, modification or destruction of a well is begun prior to obtaining a permit, the fee for such permit may be doubled, but shall not relieve any person from fully complying with the provisions of this chapter nor from any other penalties described in this chapter. Applications shall be made on forms provided by the LEA. Applications for permits to construct, replace, repair, modify or destroy a well shall include the following information:

- A. Location of the well on the property/parcels and the location and size in acreage of the contiguous properties and assessor's parcel number to be served.
- B. Well location longitude and latitude.
- C. Name, address and contractor's license number of the person who will construct the well.
- D. The proposed depth of the well.
- E. The proposed well casing diameter.
- F. The proposed screen depth intervals.
- G. The size of the proposed pump.
- H. The proposed use of the well.
- I. An accurate plot plan which will show the following:
 - 1. Property lines with dimensions and existing and proposed buildings.
 - 2. Sewage disposal systems, sewer lines, and any other works carrying or containing sewage within two hundred (200) feet of the proposed well.
 - 3. All intermittent perennial, natural or artificial bodies of water or watercourses.
 - 4. All other existing wells.
 - 5. The approximate surface drainage pattern of the property and areas subject to flooding.
 - 6. All existing and proposed structures.
- J. Such additional information as required by the LEA.

K. The LEA is authorized to reduce the amount of information required to be included in a permit application when applicable based upon the permit type.

L. The LEA shall review all completed permit applications. If the application, site evaluation or plans do not conform to the requirements of this chapter and all pertinent laws and ordinances, the application shall be denied in writing, including the reasons for denial. If the LEA is satisfied that the proposed work conforms to the requirements of this chapter and all pertinent laws and ordinances, a water well permit shall be issued.

M. The LEA shall stamp or endorse in writing all permits and all sets of approved plans. One set of such approved plans and the permit shall be retained by the LEA and another set shall be kept at the well construction site, open to inspection by the LEA at all reasonable times. All work shall conform to the approved plans for which the permit has been issued and any approved amendments.

N. Every permit expires one year after issuance. If the permittee cannot complete the work within one year, the LEA may extend the permit for one additional year if the permittee applies for an extension prior to expiration of the permit and pays the required fees.

020.08.080 Exempt Wells.

The following wells shall not be subject to requirements set forth in section 20.08.090:

A. Wells that will provide less than two (2) acre-feet per year of groundwater for individual domestic users, livestock or that will exclusively provide groundwater to public water supply systems as defined in section 116275 of the California Health and Safety Code as may be amended from time to time.

B. Limited purpose wells including:

1. Fire suppression wells;
2. Cathodic protection wells;
3. Geothermal wells;
4. Soil borings;
5. Monitoring and mitigation wells; and
6. Exploratory wells used only for the limited purpose of determining the presence of sufficient potable water.

C. Wells proposed in areas which are not within the boundaries of the Corning, Colusa or Butte Subbasins.

20.08.090 Consultant Review Required for Non-Exempt Wells.

A. All non-exempt well permit applications shall include the proposed well construction design along with the maximum pump size and specifications. Those applications shall be reviewed by a consultant, retained by the County, for the purpose of conducting hydrogeologic studies to determine the likelihood that

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extractions from the proposed well will cause: interference with the production and function of existing nearby wells; subsidence that would adversely impact or damage nearby infrastructure or cause exceedance of Groundwater Sustainability Plan minimum thresholds for land subsidence; groundwater level declines that will cause exceedance of Groundwater Sustainability Plan minimum thresholds for groundwater levels; exceedance of Groundwater Sustainability Plan minimum thresholds for water quality; or, exacerbate a substantial adverse impact on public trust resources of navigable waters. When applicable, the consultant shall provide well design mitigation measures intended to eliminate impacts to nearby wells, land subsidence, groundwater levels, water quality and public trust resources of navigable waters. The cost of such studies and design mitigation measures shall be borne by the applicant.

B. Well Permit Applications shall be reviewed against the following five (5) categories:

1. Groundwater Levels: Will the new well interfere with groundwater levels for existing wells;
2. Subsidence Impacts: Will the new well increase the risk of subsidence;
3. Change in Storage Impacts: Will the new well result in changes in groundwater storage;
4. Groundwater Quality Impacts: Will the new well result in significant changes in groundwater quality; and
5. Public Trust Resources of Navigable Waters Impacts: Will the new well impact surface water operations.

C. In conducting the evaluation, each category shall be evaluated on a tier basis which shall determine the level of review. In conducting such review, the consultant shall utilize the most recent data from the applicable GSA and RMS ("Representative Monitoring Site"). The review for each category shall be as follows:

1. Groundwater Levels:

Tier 1 Analysis:

- i. Utilize existing Glenn County well database to identify all existing wells within a fixed radius of one half (1/2) of a mile.
- ii. If no wells exist, or the only existing wells are owned by the applicant, then no additional analysis would be required. No further analysis will be required if no domestic wells, and a maximum of one agricultural well, not including any well owned by the applicant, are within the specified radius.

Tier 2 Analysis:

- i. If any existing wells are identified, then conduct a screening level Well Interference Analysis (WIA) which shall quantify variability of groundwater levels in the area by utilizing the nearest monitoring well in the groundwater monitoring network with a complete ten (10) year water level record.

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- ii. If the WIA indicates no impacts (impact defined as operations of the new well would lower groundwater levels at the nearest domestic well by more than one (1) foot or ten (10%) percent of the historical decrease in groundwater levels measured from either the nearest monitoring well with at least a ten (10) year historical record or from the nearest RMS well, whichever is greater), then no additional analysis required.

If the WIA indicates an impact of more than ten (10%) percent and less than fifteen (15%) percent, then either the well would have to be constructed fifty (50) feet below the 85th percentile depth of the domestic wells within the corresponding polygon or shall extend at least fifty (50) feet below the most current minimum threshold (MT) established by the applicable Groundwater Sustainability Plan adopted by the corresponding Groundwater Sustainability Agency (GSA) whichever is deeper. If the WIA indicates an impact of more than fifteen (15%) percent, then a Tier 3 analysis would be required.

Tier 3 Analysis:

- i. Additional more comprehensive analysis would be required (utilizing the regional groundwater model).
- ii. Conditional approval and well specific data (hydraulic conductivity and storativity) would be submitted, and the WIA analysis would be revised.
- iii. The well design and construction shall reduce the WIA impact to less than fifteen (15%) for approval.

2. Subsidence Impacts:

Tier 1 Analysis:

- i. Utilize publicly available InSAR data to confirm subsidence prone areas (to be updated annually).
- ii. If new wells are located outside of these subsidence prone areas, no additional analysis would be required.

Tier 2 Analysis:

If a new well is located within a known subsidence area, then utilize tiered criteria from Category 1 (Groundwater Levels) as a proxy for Land Subsidence.

3. Change in Storage Impacts:

Tier 1 Analysis:

If proposed well is located within a GSP polygon with a long-term positive or stable change in storage value, no additional analysis would be required.

Tier 2 Analysis:

Utilize tiered criteria from Category 1 (Groundwater Levels) as a proxy for Change in Storage Impacts.

4. Groundwater Quality Impacts:

Tier 1 Analysis:

Utilize RMS water quality data sets to develop baseline groundwater quality conditions. Conditions can be represented by Electrical Conductivity (EC)/ Total Dissolved Solids (TDS) contours. If no historical/known water quality issues are identified (i.e., proposed well is outside an elevated EC/TDS zone), then a permit would be approved.

Tier 2 Analysis:

- i. If there are known contamination issues (i.e., TDS, As, etc.), then a permit would be conditionally approved based on results of water quality testing (which would be required as part of the permit process).
- ii. If water quality exceeded GSP water quality objectives, then well construction design shall prevent transfer between aquifers in accordance with Section 20.08.050 (F).

5. Public Trust Resources of Navigable Waters Impacts:

Tier 1 Analysis:

- i. Utilize known mapped major surface water ways within a half (1/2) mile radius.
- ii. If no known mapped major surface water ways exist, then permit would be approved.

Tier 2 Analysis:

If major surface water ways exist within a half (1/2) mile radius then the depth of final annual seal would be evaluated from geophysical log (eLog) and the seal shall extend at least five (5) feet into the first low permeability stratum encountered and to a minimum of fifty (50) feet.

D. The consultants hydrogeological study results and well design requirements shall be submitted to the LEA within thirty (30) days of receiving the application package. The results shall be in report form and in a format approved by the county.

20.08.110 Permit Approval.

The LEA shall only approve the permit, if the requirements of this chapter, and all pertinent laws and ordinances, have been met.

20.08.120 Inspections.

A. The LEA is hereby empowered to enter upon private property in order to make inspections for the purpose of enforcing the provisions of this chapter in the manner set forth in Title 1, Chapter 14, Section 1.14.020 of this code. A final inspection of the work performed on any well pursuant to this chapter shall be made by the LEA unless such inspection is waived by the LEA. No permittee shall be deemed to have complied with this chapter or the conditions of the permit until such inspection has been either made and the installation approved, or the inspection waived by the LEA.

B. The LEA shall inspect the proposed well location before any drilling begins to confirm the location meets the provisions of this chapter.

C. The LEA shall be notified a minimum of twenty-four (24) hours prior to installing or placing a sanitary seal. Drillers who anticipate completing a well in less than a day may notify the LEA twenty-four (24) hours prior to commencement of drilling and provide the anticipated time at which the sanitary seal shall be installed. Notification does not guarantee a requested inspection date or time.

20.08.130 New, Replacement and Repaired Exempt Well Minimum Depth Requirements.

A. New, replacement and repaired exempt wells shall extend at least fifty (50) feet below the most current minimum threshold established by the applicable Groundwater Sustainability Plan adopted by the corresponding Groundwater Sustainability Agency (GSA). The minimum threshold may vary depending on the location within the groundwater basin. The minimum permitted well depth is not a guarantee as to water availability or production, but rather a minimum requirement only for the specific area.

B. The minimum depth requirement may be reduced when salinity or bedrock restrictive layers are encountered during well construction and all other mitigative options have been exhausted, so long as the well is in compliance with all other sections of this chapter. The LEA shall require that the well complies with the minimum depth requirements to the extent reasonably possible. Salinity and/or bedrock restrictive layers shall be confirmed thru samples, in writing and approved by the LEA.

C. Minimum depth requirements shall only apply to wells located within an established high or medium priority groundwater basin.

20.08.140 Well Completion Report.

As required by section 13751 of the California Water Code, which may be amended from time to time, every person who digs, bores, or drills a water well, cathodic protection well, groundwater monitoring well, or geothermal heat exchange well; abandons or destroys such a well; or deepens or reperforates such a well; shall file a Well Completion Report of that well with the LEA within 60 days of the date of completion.

20.08.150 Electric Logging (E-Log) Required.

A. If a well is larger than eight (8) inches, a test hole shall be drilled, and the E-Log submitted to the LEA for review. In addition, the proposed well construction shall meet the conditions listed below:

1. To the extent feasible, controlling hydrological conditions that existed before the well was drilled and constructed, including the elimination of physical hazards.
2. Prevent pollution of groundwater.
3. Preserve the integrity of the aquifers.
4. Prevent intermingling of potable and irrigable waters with saline and other unsuitable waters.

B. The purpose of these conditions is to manage interactions between new, replacement, modified and existing neighboring wells.

C. The LEA does not design the proposed well. The applicant and contractor are responsible for submitting the proposed well design.

D. Upon receiving the proposed well design, and prior to approving drilling of the well, the LEA will review and determine if the requirements of this chapter, and all pertinent laws and ordinances, have been met.

20.08.160 Replacement of Existing Wells.

A. If a failed existing well is destroyed, a replacement well shall not be subject to the requirements set forth in section 20.08.090, if all of the following conditions are met:

1. The replacement well is drilled within one hundred (100) feet of the failed existing well;
2. The replacement well has the same casing diameter, casing depth, pump size and substantially similar screen interval(s) as the failed existing well;
3. The replacement well is in compliance with all other sections of this chapter; and
4. The failed existing well is destroyed under permit and as set forth in section 20.08.170.

The Well Completion Report (WCR) of the failed existing well shall be submitted to the LEA to confirm the construction requirements. When a WCR does not exist, construction requirements may be confirmed by a method acceptable to the LEA.

B. If a replacement well must be constructed as a result of the failure of an existing well, the LEA shall condition issuance of a permit on the mandatory destruction of the existing well in accordance with the methods and requirements of this chapter. A well may be deemed to have failed under the following circumstances:

1. When groundwater drops to a level below the useful depth of the well.

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2. When the well yields sand or soil in quantities to make it unusable for domestic, livestock, agricultural or industrial purposes.
3. When contamination is present.
4. When the well is inside of the established minimum setback requirements from potential sources of contamination.
5. When established setback requirements do not exist and, in the judgment of the LEA, degradation of the groundwater is likely to occur or continue if the well is not destroyed.

20.08.170 Abandoned Well Exemption/Inactive Well.

- A. The well owner shall declare to the LEA in writing, on a form provided by the County, their intent for future use of an inactive well. The declaration form shall be adequate for as long as the required conditions are maintained.
- B. If the required conditions set forth in the declaration form are not maintained, the inactive well shall be destroyed according to this chapter and this requirement shall be a condition of all future county permits.

20.08.180 Well Destruction.

All abandoned wells, as defined in this chapter, shall be destroyed in accordance with this chapter and to the following standards:

- A. A well that is no longer useful (including exploration and test holes) shall be destroyed in order to ensure that the groundwater supply is protected and preserved for future use and to eliminate potential physical hazards.
- B. After all reasonable efforts to clear contamination have been made, a well that contains poor-quality water, pollutants, contaminants or is a potential hazard to the purity of the groundwater, shall be destroyed by completely filling the well with an approved sealing material or by destruction standards and methods required by the LEA.
- C. Observation or test wells used in the investigation or management of groundwater basins by government agencies or research/engineering organizations are not considered abandoned if they are maintained for that purpose; however, such wells shall be covered with an appropriate cap, bearing the label "Observation Well" and the name of the agency or organization, and shall be locked when measurements are not being made. When these wells are no longer used for this purpose, or for supplying water, they shall be considered abandoned.

20.08.190 Permit Expiration, Revocation, Rescission and Hazard Abatement.

- A. A permit issued pursuant to this chapter expires one year after issuance. If the permittee cannot complete the work within one year, and applies for an extension before the permit expires, the LEA may extend the permit for one additional year.

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B. A permit issued pursuant to this chapter may be revoked by the LEA if the LEA determines that a violation of this chapter exists, that written notice has been directed to the permittee specifying the violation, and that the permittee has failed or neglected to take corrective action within the time specified in the notice.

C. A permit may also be rescinded by the LEA upon determination that the permit was obtained by false statement or misrepresentation. The permittee shall be notified in writing of the action and the rescission shall be effective upon the date of issuance of the notification.

D. Whenever the LEA determines that any well on private property has become a hazard to public safety; endangers property; or adversely affects the safety, use, or stability of an adjacent property, an overhead or underground utility, or a public way or watercourse; or could adversely affect the water quality of any watercourse or water body, the LEA shall provide written notice to the owner or other person in control of the property, identifying the hazard; what must be done to eliminate the hazard; and, the time within which the actions must be taken. Upon receipt of the written notice from the LEA, the owner or other person in control of the property shall, within the time specified in the notice, take those actions necessary to eliminate the hazard and conform with the requirements of this chapter. Failure to eliminate the hazard within the time prescribed could result in violations and penalties pursuant to this chapter and all pertinent laws and ordinances.

20.08.200 Appeals.

A. The applicant or any aggrieved party may appeal a decision of the LEA or any notice of violation issued. Any such administrative appeal shall be commenced by filing a written request within ten (10) days after service of notice or determination with the clerk of the board of supervisors for a hearing. If the tenth (10th) day falls on a county holiday or weekend, the time to request the hearing shall be extended to the next day that is not a holiday or weekend. The written request shall include the name, address, and telephone number of the person requesting the appeal and any applicable project number, or other means of identification, and the date on which the decision was made. The time requirement for filing such a written request shall be deemed jurisdictional and may not be waived. In the absence of a timely filed written request that complies fully with the requirements of this section, the findings of the LEA or the enforcing officer contained in the notice or determination shall become final and conclusive on the eleventh (11th) day following service of the notice or determination.

B. Upon timely receipt of a written request for hearing which complies with the requirements of this section, the clerk of the board of supervisors shall set a hearing date. The clerk shall send written notice of the hearing date to the requesting party, to any other parties upon whom the notice was served, and to the LEA and/or enforcing officer.

C. Unless jurisdiction over a specific violation or determination is exercised by the board of supervisors at a meeting of the board of supervisors, the hearings required by this chapter and California Government Code Section 25845, to be heard by the board of supervisors are hereby delegated to an administrative hearing officer established by Chapter 2.28 of the Glenn County Code.

D. Pursuant to California Government Code Section 25845, subdivision (i), the administrative hearing officer shall preside over the hearing and decide evidentiary issues and any requests for delays.

E. The administrative hearing officer shall not determine the legality of this chapter or legality of the enforcement procedures used. The administrative hearing officer shall determine if the decision of the LEA or the enforcing officer conforms to this chapter and is supported by a preponderance of the evidence

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presented by the LEA or enforcing officer or his or her department. The hearing shall be recorded. The record and evidence shall be preserved for three years.

F. If requested by the administrative hearing officer, the County Counsel shall appoint a deputy county counsel to impartially advise the administrative hearing officer. He or she shall not have been involved in assisting the LEA or the enforcing officer, or the enforcing officer's department, on the determination or enforcement action at issue.

G. Any hearing conducted pursuant to this chapter need not be conducted according to technical rules of evidence. Any relevant sworn evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs regardless of the existence of any common law or statutory rule which might make improper the admission of the evidence over objection in civil actions. The administrative hearing officer has discretion to exclude evidence if its probative value is substantially outweighed by the probability that its admission will necessitate undue consumption of time.

H. The written findings and recommendations of the administrative hearing officer shall be referred to the board of supervisors, and the appellant, within fifteen (15) days of the conclusion of the hearing. The board of supervisors may adopt the recommendation without further notice of hearing or may set the matter for a de novo hearing before the board of supervisors. No specific form is required for the findings and recommendations, which need only be generally stated. Written notice of the administrative hearing officer's findings and recommendations shall be mailed to the appellant at the address listed on the application and/or appeal.

G. The decision of the board of supervisors, which shall be by resolution, shall be final and conclusive. A failure to appeal the determination of the LEA or the enforcing officer will constitute a failure to exhaust administrative remedies by the responsible person(s).

H. This section does not authorize appeals to the board of supervisors from any action of the LEA authorized or required by state law or regulation.

20.08.210 County Action Not Guarantee.

This chapter shall not be construed as imposing upon the county any liability or responsibility for damage resulting from defective placement, construction, replacement, modification, repair or destruction of any well or for damage to, or interference with, wells on adjoining or other properties. Neither the issuance of a permit pursuant to this chapter, final inspection of work performed on any well pursuant to this chapter, nor the waiver of such final inspection shall be, nor construed to be, a guarantee by the County of Glenn that suitable water in sufficient quantity and quality is available from any well.

20.08.220 Conflicting Regulations.

Where there is a conflict between the regulations of this chapter and any other chapter of local, state or federal regulation, the greater or more stringent regulation or restriction shall apply and shall be enforced by persons authorized in this chapter.

20.08.230 Violations and Penalties.

Pursuant to section 1.13.010 of this code, any person who violates any regulatory or prohibitory provision of this chapter is guilty of a misdemeanor punishable by a fine not exceeding five thousand

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(\$5,000.00) dollars, or by imprisonment not exceeding six months, or by both such fine and imprisonment. A separate offense is committed upon each day or portion thereof during or on which a violation occurs or continues. Nothing herein shall be deemed to abrogate or annul the right to enjoin or abate such violations by civil action.

SECTION 2: The Board of Supervisors hereby finds that this ordinance is not subject to review under the California Environmental Quality Act ("CEQA") pursuant to CEQA guidelines sections 15060, subdivision (c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15601, subdivision (b)(3) (there is no possibility the activity in question may have a significant impact on the environment). In addition to the forgoing general exemptions, the Board of Supervisors further finds that the ordinance is categorically exempt from review under CEQA under the Class 7 (Actions by Regulatory Agencies for Protection of Natural Resources) and Class 8 (Actions by Regulatory Agencies for Protection of the Environment) Categorical Exemptions. Lastly, none of the exceptions to the use of categorical exemptions identified in State CEQA Guidelines section 15300.2 apply: there is no potential for cumulative impacts; there are no unusual circumstances that would have a significant impact on the environment due to the adoption of the ordinance; the ordinance would not negatively impact scenic resources within a duly designated scenic highway; there is no record of hazardous waste and the ordinance has no potential to impact historic resources.

SECTION 3: Pursuant to section 25131 of the California Government Code, the Board of Supervisors finds that, in light of the impending expiration of Urgency Ordinance No. 1310 on June 22, 2023, this ordinance is necessary as an urgency measure to preserve the public health, safety, and welfare because: (1) Urgency Ordinance No. 1310 was adopted in order to provide time for the County to study and develop regulations to protect groundwater resources within the County from further contamination, depletion or pollution; (2) this ordinance fulfills those goals by regulating the placement, construction, replacement, repair, modification and destruction of wells within the County in a manner that the groundwater will not be contaminated, depleted or polluted, and that water obtained from wells will be suitable for beneficial use; (3) allowing Urgency Ordinance 1310 to expire prior to this ordinance taking effect would provide an opportunity for wells to be constructed in a manner that does not protect groundwater resources within the County from further contamination, depletion or pollution; and (4) allowing wells to be constructed in a manner that does not protect groundwater resources within the County from further contamination, depletion or pollution would be detrimental to the public health, safety and welfare. Based upon the foregoing, the Board of Supervisors declares this ordinance to be an urgency measure and therefore, the requirement that ordinances altered after introduction shall be passed only at a regular meeting held at least five days after alteration shall not apply.

SECTION 4: If any section, subsection, sentence, clause, portion, or phrase of this ordinance is for any reason held illegal, invalid, or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof. The Board of Supervisors hereby declares that it would have passed this Chapter and each section, subsection, sentence, clause, portion, or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared illegal, invalid or unconstitutional.

SECTION 5: It is the intention of the Board of Supervisors that this ordinance shall be reviewed annually and modified as necessary to reflect changes in hydrological conditions within Glenn County.

SECTION 6: This ordinance shall take effect thirty (30) days after the date of its adoption and before the expiration of fifteen (15) days from the date of passage thereof shall be published at least once in a

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newspaper of general circulation, in the County of Glenn, State of California, together with the names of the members of the Board of Supervisors voting for and against the same.

PASSED AND ADOPTED this **23rd day of May 2023**, by the Glenn County Board of Supervisors, State of California, by the following vote:

AYES: Supervisors Arnold, Rossman, Yoder and Carmon (Chairman)

NOES: None

ABSENT OR ABSTAIN: None



GRANT CARMON, Chairman
Board of Supervisors, Glenn County, California

ATTEST:



SCOTT H. DEMOSS, Clerk of the Board
County of Glenn, California

APPROVED AS TO FORM:



WILLIAM J. VANASEK, County Counsel
County of Glenn, California

TECHNICAL MEMORANDUM

DATE: August 11, 2025 Project No. 23-1-120

TO: Yolo County Department of Community Services, Environmental Health Division
April Meneghetti, Director

FROM: Luhdorff and Scalmanini, Consulting Engineers
Tyler Newman, PE, Senior Engineer
Jason Coleman, PE, Supervising Engineer
Nick Watterson, PG, CHG, Principal Hydrogeologist

SUBJECT: Well Casing Diameter vs. Pump Capacity Guidance

This technical memorandum (TM) summarizes the general relationship between well casing diameter and pump capacity in the context of municipal and agricultural well planning and design. The intent is to provide Yolo County (County) staff with planning-level guidance for use in the evaluation of reasonable anticipated production capacity for wells based on proposed well casing diameters provided on well permit applications. A key objective of this guidance is providing a range of typical relationships between well casing diameter and well pumping capacity for use in determining appropriate well separation distance requirements based on anticipated well production capacity. While several factors influence the performance of a well—such as aquifer characteristics, well screen design, and drawdown behavior—casing diameter is one of the most fundamental parameters in establishing the physical constraints of pump installation and flow potential.

BACKGROUND ON WELL CASING DIAMETER AND PUMP CAPACITY

The well casing diameter plays a significant role in determining the maximum flow rate that can be achieved from a well. The inside diameter of a well casing directly limits the type and size of pump that can be installed. Larger diameter casings enable installation of higher-capacity pumps, which are necessary for achieving higher flow rates commonly required in municipal and large-scale agricultural applications. As casing diameter increases, so does the ability to accommodate larger pump bowls and motors, which in turn supports greater discharge volumes.

General Well and Pump Design Considerations

From a pump station design standpoint - whether vertical turbine or submersible - the primary factor governing potential well station capacity is the diameter of the pump bowl assembly, which dictates the impeller size and resulting achievable flow under given operating conditions. Larger well casings generally facilitate larger pump bowls, and thus increased capacity. The secondary constraint is total dynamic head

(TDH), which includes lift (static + drawdown), discharge pressure, and friction losses, all of which impact pump performance and efficiency.

While a well casing is generally intended to be installed straight and plumb, unfavorable geological conditions or poor well drilling and construction practices can result in a borehole and well casing that is not plumb and/or straight. Skewed casing can require additional clearance to accommodate the pump and motor assembly.

In addition to the mechanical benefits of facilitating a larger pump bowl and accommodating minor deviations in the well casing from straight and plumb, larger casings also provide the hydraulic benefit of reducing internal velocities and frictional head losses at the pump inlet, contributing to more efficient pumping operations. Larger wells also provide better access for downhole equipment, inspection tools, and eventual rehabilitation or cleaning operations, which can be a consideration in well design in some unique circumstances.

Submersible vs. Vertical Turbine Installations

Additionally, the decision to use a submersible vs. a vertical turbine style pump is one that will affect installation and the overall capacity of a well and the required diameter of the casing. Submersible pumps generally require slightly larger casing diameters than vertical turbines for the same bowl assembly size. This is due to the need to accommodate the submersible power cable within the annular space between the pump column and the well casing.

Additionally, submersible motors, especially those with more significant power requirements, rely on the flow velocity of the water within the casing to cool the motor. This is generally achieved when water moving towards the pump intake comes into direct contact with the motor. However, the use of a larger diameter well casing with a submersible pump can result in the annular space between the well casing and motor being too large to allow for sufficient flow velocity of water around the motor and insufficient motor cooling. Problems with motor cooling can also occur when a submersible motor is located below one or more screened sections of the well, leaving the motor in stagnant water with insufficient flow velocity to dissipate heat. For both cases with submersible pumps, a motor shroud can be used to reduce the flow area and increase the velocity of water flowing past and cooling the motor.

A vertical turbine pump does not have such casing restrictions; since the motor is at the ground surface, there is no submersible motor to cool, nor is there a power cable to extend through the annular space.

Downhole Equipment and Power Cable

Some wells are designed to allow access for water level measurement devices or other downhole monitoring equipment. Where no dedicated external tube exists, some additional clearance may also be needed within the well casing for installation of a tube for measuring water levels (sounding tube) or making other downhole readings. In applications where a submersible pump is used, the same additional annular space required for the power cable can also accommodate a sounding tube.

Aquifer Characteristics

It is important to note that increasing the casing diameter (and pump size) does not automatically result in higher flow rates depending on the aquifer and well characteristics and their ability to yield water at higher rates. Therefore, pump size or other well and pump design aspects may not be the limiting factor for well production capacity and it is always advisable for those constructing and equipping wells to consider site-specific hydrogeologic conditions and test pumping results to determine the actual yield of a given well.

GUIDANCE ON WELL CASING DIAMETER VS PUMPING CAPACITY

To support County staff's evaluation of reasonable anticipated well pumping capacity for wells based on proposed casing diameters provided on well permit applications, LSCE has developed information on the relationships between well casing diameter and typical pumping capacity presented in **Table 1** to provide a high-level overview of the different pumping rates that could be anticipated for specified well casing diameters. The relationships in **Table 1** provide typical well casing diameters necessary for achieving the planned pumping capacity ranges consistent with the pumping capacity ranges in the well separation distance requirements tables included in the County's well permitting process. The relationships presented in **Table 1** are based on consideration of authoritative well and pump design references, most notably *Groundwater and Wells* (Sterrett, 2007), together with application of generally accepted engineering principles, and professional judgement. The intent of the table is to provide guidance on typical conditions and circumstances, recognizing that unique well and pump design considerations may affect the ultimate selection of well casing diameter. The use of **Table 1** is intended to facilitate County staff's review of well permit applications and consideration of the range of likely pumping capacities for wells of different casing diameters.

Table 1 – Flow vs. Casing Diameter Relationships	
Planned Pumping Capacity (GPM)	Typical Well Casing Internal Diameter (inches)
<99	≤6
100-499	6 to 12
500-999	12 to 16
1000-1499	16 to 18
1500-1999	18 to 20
≥2000	≥24

CITED REFERENCES

Sterrett, R.J., 2007. *Groundwater & Wells*, Third Edition. Johnson Screens: New Brighton, Minnesota.

Water Resources Monitoring (WRM) Program

Metering and monitoring of groundwater use and water levels is required of many well permit and use permits holders.

Metering and Monitoring Requirements for **Well** Permits

Consistent with Section 25B-12, installation of a meter and reporting of water use is required of all water wells for which an application is submitted after October 4, 2022, **except for residential wells** serving a single parcel with a total groundwater use of 2.0 acre-feet or less of water per year. Wells serving multiple parcels must have separate meters for each parcel served.

In addition to metering, monitoring of depth to groundwater is also required if the total groundwater use is greater than 5.0 acre-feet per year.

Metering and monitoring requirements are ongoing and require enrollment in Permit Sonoma's groundwater monitoring program prior to the "final" of the well permit (see [enrollment section](#) below).

Meter readings and/or depth-to-water measurements are required to be collected once each month by the well owner or operator. Data is submitted to Permit Sonoma in January of the following year through an online submittal form that is emailed to the owner or operator. If there is a change in ownership or well operator, Permit Sonoma must be informed of this change.

Metering and Monitoring Requirements for **Discretionary** Permits

Discretionary permits (e.g. use permits, design review permits, well permits that have been subject to discretionary public trust review, etc.) may have site-specific metering and monitoring requirements that were developed for that specific permit. Applicants and operators are advised to review the conditions of approval for the discretionary permit.

Typically, meter readings and/or depth-to-water measurements are required to be collected monthly or quarterly. Data is submitted to Permit Sonoma in January of the following year through an online submittal form that is emailed to the owner or operator. If there is a change in ownership or well operator, Permit Sonoma must be informed of this change.

Volunteer Groundwater Monitoring

Many individuals and organizations are interested in collecting and reporting groundwater metering and monitoring data. Volunteers may enroll and submit data into our system. The benefit of providing data is that these data will be recorded and archived and enable you to track if groundwater conditions are changing in your well. These data will also be made available publicly and to water resource managers, which will use the data to characterize and better understand the conditions of our local aquifers.

Groundwater Metering and Monitoring Enrollment

Prior to finalizing the well permit or authorizing the operation of a use permit or other permit with requirements for groundwater monitoring, Permit Sonoma requires the applicant to complete the installation of all required equipment and submit a Water Resources Monitoring Application Form. Volunteer monitors must also submit an application form.

- [PJR-147 Water Resources Monitoring Application Form](#) (PDF)

Metering and Monitoring Protocols

For more information on Permit Sonoma's groundwater monitoring program for protocols on how to meter and monitor your well, refer to:

- [Policy and Procedure 8-1-3 Groundwater Monitoring Guidelines for Water Wells](#)
- [Presentation – Permit Sonoma Groundwater Monitoring](#) (PDF)

Additional Resources

- [California Groundwater Live](#)
- [Groundwater Monitoring CASGEM Program](#)

Questions?

For questions, please email: PermitSonoma-WRM@sonomacounty.gov

Page Links

1. enrollment section - <https://permitsonoma.org/divisions/engineeringandconstruction/wellandsepticssystem/waterwells/waterwellmeteringandmonitoring/divisions/engineeringandconstruction/wellandsepticssystem/waterwells/waterwellmeteringandmonitoring>
2. PJR-147 Water Resources Monitoring Application Form - [Microsites/Permit%20Sonoma/Documents/Instructions%20and%20Forms/_PJR%20Project%20Review/PJR-147-Water-Resources-Monitoring-Application.pdf](https://permitsonoma.org/Microsites/Permit%20Sonoma/Documents/Instructions%20and%20Forms/_PJR%20Project%20Review/PJR-147-Water-Resources-Monitoring-Application.pdf)
3. Policy and Procedure 8-1-3 Groundwater Monitoring Guidelines for Water Wells - <https://permitsonoma.org/divisions/engineeringandconstruction/wellandsepticssystem/waterwells/waterwellmeteringandmonitoring/policiesandprocedures/8-1-3groundwatermonitoringguidelinesforwaterwells>
4. Presentation – Permit Sonoma Groundwater Monitoring - [Microsites/Permit%20Sonoma/Documents/Divisions/Engineering-construction/Well-Septic/Groundwater/Permit-Sonoma-Groundwater-Monitoring-presentation.pdf](https://permitsonoma.org/Microsites/Permit%20Sonoma/Documents/Divisions/Engineering-construction/Well-Septic/Groundwater/Permit-Sonoma-Groundwater-Monitoring-presentation.pdf)
5. California Groundwater Live - <https://sgma.water.ca.gov/CalGWLive/>
6. Groundwater Monitoring CASGEM Program - <https://water.ca.gov/Programs/Groundwater-Management/Groundwater-Elevation-Monitoring--CASGEM>



[\(/Home\)](#)

Our Permit Center hours have changed to the following:

- **Walk-in Hours:** Monday, Wednesday, and Friday mornings, 7:30 AM - 11:45 AM.
- **Appointments:** Monday and Wednesday afternoons, Tuesday and Thursday all day. (Click the appointment link below for available times)
- **Friday:** Closed at 12:00 PM.

*CLOSED FROM 12 PM TO 1:30 PM MONDAY-THURSDAY FOR LUNCH

Walk-in appointments will be limited to 30 minutes to accommodate our customers. If you have questions about as-built permits, code enforcement projects, or want to submit new structure and/or grading permit submittals, we encourage scheduling appointments through our website or via [No Wait Inside](#)

(<https://login.nowaitinside.com/bookingServiceType/3xBExY7JHInhdGr5Pw7C4m6R4ZiAckw2>) to allow for additional time.

Planning & Building ([/Departments/Planning-Building.aspx](#))

County of San Luis Obispo

[Home \(/\)](#) » [New Construction \(/departments/planning-building/department-services/agriculture,-water,-and-energy/water-programs/programs-and-services/new-construction\)](#) » Wells

Wells

The County's Building and Construction Ordinance ([Title 19 Section 19.07.042 \(https://library.municode.com/ca/san_luis_obispo_county/codes/county_code?nodeId=TIT19BUCO_CH19.07PLCO_19.07.042WACOPR\)](#)) requires that all new or existing wells that serve new development that overlie or use water from the Nipomo Mesa Water Conservation Area must have a well meter installed. This requirement also applies to new development with permit application dates prior to January 1, 2022 using water from the Paso Robles Groundwater Basin Land Use Management Area. Meter installation must be verified by the County prior to building permit issuance.

Applicants should email photos of well meters once installed to

waterprograms@co.slo.ca.us with permit number in the email subject line showing the location of the meter in proximity to the well, the diameter of the pipe going into the meter, freeze protection on the section of pipe going immediately to and from the well, and the length of

straight section of pipe on either end of the meter (at least 8 times the pipe diameter, or per manufacturers specifications). Planning staff will review the photos and then sign off on the construction permit condition.

The property owners or responsible party designated by the property owner must read the water meter and record the water usage on or near the first day of the month. These records must be maintained by the property owner or responsible party and may be subject to inspection only by code enforcement pursuant to a violation investigation.

For more information on policies and fees related to wells that apply in the NMWCA or the PRGWB, please click on the links below

- [Well Standards \(https://www.slocounty.ca.gov/getmedia/d446b1fd-55a9-4f0d-9a28-d3b05ac0d120/popular-mark-\(social-media\).png?lang=en-US\)](https://www.slocounty.ca.gov/getmedia/d446b1fd-55a9-4f0d-9a28-d3b05ac0d120/popular-mark-(social-media).png?lang=en-US)
- [Fees \(https://www.slocounty.ca.gov/Departments/Planning-Building/Agriculture,-Water,-and-Energy/Countywide-Water-Conservation-Program/PRGWB-New-Construction/Fees.aspx\)](https://www.slocounty.ca.gov/Departments/Planning-Building/Agriculture,-Water,-and-Energy/Countywide-Water-Conservation-Program/PRGWB-New-Construction/Fees.aspx)



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[Accessibility \(/Home/Accessibility\)](#)

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[\(/Home\)](#)

Our Permit Center hours have changed to the following:

- **Walk-in Hours:** Monday, Wednesday, and Friday mornings, 7:30 AM - 11:45 AM.
- **Appointments:** Monday and Wednesday afternoons, Tuesday and Thursday all day. (Click the appointment link below for available times)
- **Friday:** Closed at 12:00 PM.

*CLOSED FROM 12 PM TO 1:30 PM MONDAY-THURSDAY FOR LUNCH

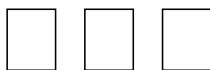
Walk-in appointments will be limited to 30 minutes to accommodate our customers. If you have questions about as-built permits, code enforcement projects, or want to submit new structure and/or grading permit submittals, we encourage scheduling appointments through our website or via [No Wait Inside](#) (<https://login.nowaitinside.com/bookingServiceType/3xBExY7JHInhdGr5Pw7C4m6R4ZiAckw2>) to allow for additional time.

Planning & Building ([/Departments/Planning-Building.aspx](#))

County of San Luis Obispo

[Home \(/\)](#) » [PRGWB Agriculture Off-Set](#)

PRGWB Agriculture Off-Set



[Ag Offset Exemption](#)

[\(/Departments/Planning-Building/Forms-Documents/Water-Conservation-Forms-and-Documents/Paso-Robles-Groundwater-](#)

[Agriculture Off-Set Onsite](#)

[\(/departments/planning-building/department-services/agriculture,-water,-and-energy/water-programs/programs-and-services/prgwb-on-](#)

[Area of Severe Decline](#)

[\(/departments/planning-building/department-services/agriculture,-water,-and-energy/water-programs/programs-and-services/prgwb-](#)



[Basin/PRGWB-Ag-Offset-Clearance-Exemption-Application-\(L.pdf\)](#)

[site-agriculture-off-set\)](#)

[area-of-severe-decline\)](#)



[Wells](#)

[\(/departments/planning-building/department-services/agriculture,-water,-and-energy/water-programs/programs-and-services/prgwb-wells-agriculture\)](#)


Recent policy updates

On April 6, 2021, the Board of Supervisors directed staff to develop a new planting ordinance for the Paso Basin Land Use Management Area. Visit the [project site \(/Departments/Planning-Building/Grid-Items/Community-Engagement/Active-Planning-Projects/Paso-Basin-Land-Use-Planting-Ordinance.aspx\)](#) for more information.

On August 24, 2021, the Board of Supervisors extended the termination date for the Agricultural Offset Requirements from January 1, 2022 to August 31, 2022.

New or expanded irrigated crop production - Agricultural Offset Requirements

On October 27, 2015, the Board adopted Resolution 2015-288 that amended County Code (Title 22) to require new and/or expanded irrigated crop production to obtain an Agricultural Offset Clearance from the Department of Planning and Building to minimize further depletion of groundwater levels.

Click [here \(https://library.municode.com/ca/san_luis_obispo_county/codes/county_code?nodeId=TIT22LAUSOR_ART4STSPLAUS_CH22.30STSPLAUS_22.30.204NEEXIRCRPRUSWAPAROGRBAEXATSSI\)](https://library.municode.com/ca/san_luis_obispo_county/codes/county_code?nodeId=TIT22LAUSOR_ART4STSPLAUS_CH22.30STSPLAUS_22.30.204NEEXIRCRPRUSWAPAROGRBAEXATSSI) to see the current agricultural offset requirements in the County Land Use Ordinance (Section 22.30.204). 

Within the Paso Basin, there is a subarea called the "[area of severe decline](#)" ([/Departments/Planning-Building/Department-Divisions/Agriculture,-Water,-and-Energy/Water-Programs/Programs-and-Services/PRGWB-Area-of-Severe-Divide.aspx](#)) that has more stringent restrictions. [Click here for a map.](#) (https://gis.slocounty.ca.gov/Html5Viewer/Index.html?configBase=http://gisdev.slocounty.ca.gov/Geocortex/Essentials/REST/sites/PL_LandUseView/viewers/PL_LandUseView/virtualdirectory/Resources/Config/Default&layertheme=6). [If your property is in the Area of Severe Decline per the Land Use Ordinance, then your property is not eligible for the 5 AFY exemption for new irrigated crop production.](#)

There are three main scenarios for how this ordinance may affect a property:

1. If there is existing irrigated crop production on site within the 5 years preceding the application date, the property can be replanted in the same crop type and acreage with an [Ag Offset Exemption](#) ([/Departments/Planning-Building/Forms-Documents/Water-Conservation-Forms-and-Documents/Paso-Robles-Groundwater-Basin/PRGWB-Ag-Offset-Clearance-Exemption-Application-\(L.pdf\)](#)). Planting new or expanded crops would require an [On-Site Offset Clearance](#) (<https://www.slocounty.ca.gov/Departments/Planning-Building/Department-Divisions/Agriculture,-Water,-and-Energy/Water-Programs/Programs-and-Services/PRGWB-On-Site-Agriculture-Off-Set.aspx>) showing the new crop would use the same amount of water as the existing crop, or less.
2. If there is not existing irrigated crop production on site within the 5 years preceding the application date and if the site is not within the "area of severe decline", new irrigated crop production may be allowed with a one-time [Ag Offset Exemption](#) ([/Departments/Planning-Building/Forms-Documents/Water-Conservation-Forms-and-Documents/Paso-Robles-Groundwater-Basin/PRGWB-Ag-Offset-Clearance-Exemption-Application-\(L.pdf\)](#)) to plant crops that use up to 5 acre-feet per year of water (e.g., 4 acres of vineyard).
3. If there is not existing irrigated crop production on site within the 5 years preceding the application date and if the site is within the "area of severe decline", then there are no options for new or expanded irrigated crop production under the current ordinance.

Related Services:

- [On-Site Agriculture Off-Set](#) ([/Departments/Planning-Building/Agriculture,-Water,-and-Energy/Countywide-Water-Conservation-Program/PRGWB-On-Site-Agriculture-Off-](#)

[Set.aspx](#)

- [Ag Offset Exemption \(/Departments/Planning-Building/Forms-Documents/Water-Conservation-Forms-and-Documents/Paso-Robles-Groundwater-Basin/PRGWB-Ag-Offset-Clearance-Exemption-Application-\(L.pdf\)](#)
- [Wells \(/Departments/Planning-Building/Agriculture,-Water,-and-Energy/Countywide-Water-Conservation-Program/PRGWB-Wells-Agriculture.aspx\)](#)
- Off-Site Agriculture Off-Set: As of December 5, 2019 Off-Site Off-Sets are no longer allowed



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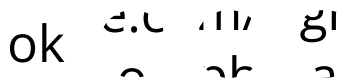
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DRAFT

Hungry Hollow Working Group Charter

July 14, 2025

I. Purpose

The Hungry Hollow Working Group (the Working Group) will temporarily recommend projects and management actions to the Yolo Subbasin Groundwater Agency (YSGA) Executive Officer until the YSGA Board of Directors forms a Management Area Public Advisory Committee to take over the duties of the Working Group. YSGA is establishing Public Advisory Committees for each of the Subbasin’s six Management Areas to make recommendations to the YSGA Board of Directors (Board) regarding projects and management actions specific to each Management Area to help implement the Yolo Subbasin Groundwater Sustainability Plan (GSP).

II. Working Group Composition and Terms

1. The Working Group will have up to 10 members that consist of landowners or those that lease and work the land in Hungry Hollow (Attachment A). Landowners may choose to designate someone to participate on their behalf. The YSGA Executive Officer will be the 11th member and Chair of the Working Group.
2. Working Group members will serve from August 2025 through March 2026.
3. Working Group members will attend at least two thirds of the scheduled meetings to retain voting privileges.
4. Working Group members will serve until their successors are designated by the YSGA, until such member’s resignation or removal (i.e. lack of attendance or disruptive behavior), or until the YSGA dissolves the Working Group.
5. The Working Group members will include representatives from the Hungry Hollow West and/or East areas for each of the following categories. Representatives from the same family or business entity cannot serve on the Working Group at the same time.
 - Small landowner (non-irrigated lands)
An individual landowner that owns less than 100 acres and primarily uses the land for non-irrigated land purposes.
 - Small landowner (irrigated lands)
An individual landowner that owns less than 100 acres and primarily uses the land for irrigated land purposes.
 - Large landowner (non-irrigated lands)
An individual landowner that owns greater than 100 acres and primarily uses the land for non-irrigated purposes.
 - Large landowner (irrigated lands)

An individual landowner that owns greater than 100 acres and primarily uses the land for irrigated purposes.

- Leases farming or grazing land
- A grower that manages and farms land > 100 acres.

For each of these categories, individuals must submit an application to the YSGA Executive Officer for consideration; the YSGA Executive Officer will appoint Working Group members.

III. Responsibilities

1. Review and provide feedback on local groundwater conditions in Hungry Hollow. This will involve:
 - a. Review groundwater levels and groundwater storage conditions in Hungry Hollow
 - b. Review groundwater conditions related to groundwater quality, land subsidence, and depletion of interconnected surface water
 - c. Provide feedback on ways to improve the monitoring network in Hungry Hollow
 - d. Identify and track issues related to groundwater conditions, such as dry wells
2. Review and provide feedback on the development of groundwater sustainability projects and management actions in Hungry Hollow, including input on:
 - a. Development of a comprehensive list of potential projects and management actions
 - b. Development of prioritization criteria to rank projects and management actions
 - c. Scoring and ranking of projects and management actions
 - d. Development of descriptions, preliminary schedules, budgets, and work plans for projects and management actions
 - e. Identification of available funding sources and mechanisms for sustainable funding
3. Recommend groundwater sustainability projects and management actions to the YSGA Executive Officer for consideration and approval.

IV. Meeting Attendance, Duration, and Frequency

1. The YSGA Executive Officer or their designee will convene and facilitate all meetings.
2. The Working Group will meet at least bimonthly for between one to two hours. Non-members of the Working Group are welcome to attend meetings but do not vote. The Working Group may organize meetings for Working Group members only.
3. YSGA shall develop and distribute the meeting agenda and materials through electronic transmission in advance of the meeting.

4. Working Group members may participate in meetings by conference call or video conference, providing all people participating in meetings can hear each other and the venue has appropriate hybrid meeting capabilities.
5. YSGA will prepare and distribute meeting summaries in time to include in the next meeting agenda for Working Group approval.

V. Decision Making and Dispute Resolution Processes

1. A quorum is a majority of Working Group members.
2. The Working Group may approve actions with a majority vote.
3. Each Working Group member has one vote.
4. Working Group members vote as individuals.
5. Working Group members may not vote by proxy.
6. If conflicts arise, Working Group members agree to address concerns respectfully and directly.
7. In the event of a tie vote, the YSGA Executive Officer will cast the deciding vote.
8. If conflicts arise, the YSGA Executive Officer will facilitate a dispute resolution process, including a private discussion with involved parties or a mediated conversation during a scheduled Working Group meeting if needed.
9. If the Working Group cannot reach resolution, the YSGA Executive Officer may recommend support from an impartial facilitator (if funding is available) to support development of solutions.

VI. Amendments and Dissolution

1. The YSGA Board of Directors will approve the charter based on a recommendation from the YSGA Executive Officer, who will seek feedback on the draft charter from landowners and other Hungry Hollow interested parties.
2. The YSGA Board of Directors may amend the charter at any time.
3. The Working Group may recommend changes to the charter, but all changes are subject to YSGA Board of Directors approval.
4. Amendments shall take effect immediately unless otherwise specified.

5. When YSGA Board of Directors establishes the Dunnigan Hills Management Area Public Advisory Committee or determines another Management Area Public Advisory Committee to take over the duties of the Working Group, the Working Group will dissolve.

6. Upon dissolution of the Working Group, members must reapply to their respective Management Area Public Advisory Committee if they wish to continue serving the YSGA as a member of their respective Management Area Public Advisory Committee.

COUNTY RECORDER
Filing Requested by:

Yolo County Community Services Dept.

Name

292 West Beamer Street

Address

Woodland, CA 95695

City, State, Zip

Attention: Stephanie Cormier, Interim Director

Notice of Exemption

To: Yolo County Clerk
625 Court Street
Woodland, CA 95695

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: Yolo County Community Services Dept.

State Clearinghouse Number: N/A

Project Title: **Agricultural Water Well Urgency Ordinance: 45-Day Moratorium**

Applicant/Owner: Yolo County Community Services Department
292 West Beamer Street
Woodland, CA 95695
Lead Agency Contact: April Meneghetti, Director of Environmental Health, (530) 666-8646

Project Location: Countywide

Project Description: On August 26, 2025, the Yolo County Board of Supervisors adopted an urgency ordinance entitled, "An Interim Urgency Ordinance of the Yolo County Board of Supervisors Establishing a Temporary 45-Day Moratorium on the Approval of New Agricultural Water Well Permits in the Yolo Subbasin Groundwater Management Agency's Focus Areas, with Specified Exemptions, Pending the County's Study of and Consideration of Well Permit and Crop Conversion Regulations." The urgency ordinance temporarily halts the issuance of new agricultural water well permits in the Yolo Subbasin Groundwater Agency's (YSGA) denoted Focus Areas, including parcels that may be partially included in the Focus Areas, which will maintain the status quo for a brief 45-day period to enable the County and the YSGA to study and develop policies and regulations and implement other recommended actions for well permits within the Focus Areas. The Urgency Ordinance does not prohibit agricultural uses, nor does it prohibit conversion of agricultural lands to perennial crops, but well permits will not be issued while the moratorium is in effect.

The urgency ordinance is effective immediately (August 26, 2025).

Exempt Status:

Section 15060(c)(2), Preliminary Review; Section 15061(b)(3), Review for Exemption (Common Sense Exemption)

Categorical Exemption: Section 15306, Information Collection

Reasons why project is exempt: Section 15060(c)(2) provides that an activity is not subject to CEQA if the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment. The urgency ordinance temporarily halts the issuance of agricultural well permits in the YSGA denoted Focus Areas. It is therefore not a project under CEQA as moratorium will not result in a direct or reasonably foreseeable indirect change in the environment.

Section 15061(b)(3) provides that a project is exempt from CEQA if the activity is covered by the common sense exemption that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. There is no possibility that the urgency ordinance may have a significant effect on the environment, as the ordinance temporarily places a moratorium on the issuance of agricultural wells in specified Focus Areas.

Section 15306 (Class 6) consists of basic data collection research, experimental management, and resource evaluation activities

which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes or as part of a study leading to an action which a public agency has not yet approved, adopted or funded. The urgency ordinance establishes a temporary moratorium on the approval of permits for certain water supply wells in Focus Areas to maintain the status quo pending review of potential changes to well permitting procedures and land use regulations related to certain crop conversions. The 45-day moratorium will not result in any significant adverse direct or indirect physical changes to the environment.

Lead Agency Contact Person: Stephanie Cormier, Interim Director
Email: stephanie.cormier@yolocounty.gov

Telephone Number: (530) 666-8041



Signature (Public Agency): _____ Date: 8/26/2025

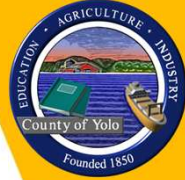
Date received for filing at OPR: N/A



Agricultural Well Permitting

Department of Community Services
Division of Environmental Health

Agricultural Well Permitting Process



Prior to March 2022

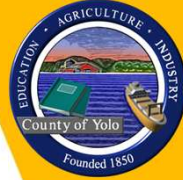
- Applied minimum well standards under Title 6, Chapter 8 of the Yolo County Code of Ordinances (YCC)
- Well construction standards under California Department of Resources (DWR) Bulletin 74

March 28, 2022- September 5, 2024

- Executive Order (EO) N-7-22 and EO N-3-23
- Required YSGA review for consistency with Groundwater Sustainability Plan (GSP)
- Required the County to determine:
 1. Not likely to interfere with the production and function of existing nearby wells
 2. Not likely to cause subsidence that would adversely impact or damage nearby infrastructure

October 22, 2024- Present

- Urgency Ordinance No. 1569 adopted by Board of Supervisors to continue well permitting requirements developed under EO including:
 - YSGA verification review
 - New wells must meet required distances from nearby wells as shown in Table 1 of the Urgency Ordinance



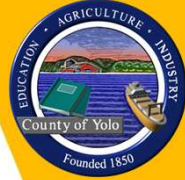
Potential Changes to Urgency Ordinance No. 1569

Urgency Ordinance No. 1569 is in effect until October 31, 2025. Staff recommends coming back to the Board on October 7, 2025, with recommended changes to and extension of the Urgency Ordinance

Changes for consideration pending a long-term update to the well ordinance:

1. Permit Appeal Process
 - Staff recommends changing the appeals process for well permits to align with other County land use types so that appeals are first to be heard by an administrative hearing officer or the Planning Commission
2. Verification of pumping capacity
 - a. Well Casing Diameter and Pumping Capacity Guidance developed by Luhdorff & Scalmanini, Consulting Engineers (LSCE)
 - b. Verification after pump installation
 - c. Meters for new wells

Potential Changes to Urgency Ordinance No. 1569



Options requiring more in-depth review and study:

3. Additional hydrogeologic review with consultant retained or approved by the County within the Focus Areas to determine likelihood that extractions from a new well will cause impacts to the groundwater levels.
4. Require use permits or other discretionary review of crop conversions in certain agricultural areas

With each option the Board will need to consider staff and consultant resources required for implementation and possible enforcement

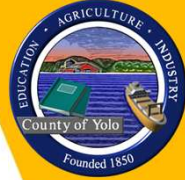


Temporary 45-Day Moratorium Option

The steady increase in conversion of dry-farmed or unirrigated lands to perennial crops in the Focus Areas has raised significant concerns.

Reasons to consider a temporary moratorium on new agricultural wells in the Focus Areas

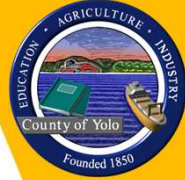
- A moratorium would temporarily halt the issuance of new agricultural well permits in the denoted Focus Areas, including parcels that may be partially included in the Focus Areas
- While longer term ordinance changes are considered to address these concerns, without a moratorium, new wells could be approved in the Focus Areas where data gaps and groundwater sustainability are of particular concern
- No limitations currently exist in the County's Zoning Regulations with respect to crop conversions on agriculturally zoned-lands
- YSGA continues to improve and enhance its groundwater model to better estimate the Yolo Subbasin's sustainable yield, including enhancements to better forecast land use changes and their impact on water budget



Pending Agricultural Well Permit Applications

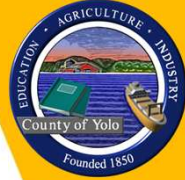
- There are currently 35 pending agricultural well permit applications
- 20 of the pending agricultural well permit applications are in the YSGA review queue, 11 of which are in the Focus Areas
- Many of the applications have been idling in the queue for quite some time

Application Year	Total Ag Well Pending	Total Pending YSGA Verification
2022	22	11
2023	4	4
2024	3	2
2025	6	3
Total	35	20



Working Group

- Recognizing the complexity and importance of agricultural practices in Yolo County, the Board may want to consider forming a Working Group consisting of interested stakeholders to work with YCEH staff on proposed changes regarding well permitting and crop conversions. Proposed members would include:
 - YSGA
 - Farm Bureau
 - Well Drillers
 - Concerned Citizens
- YSGA has already formed a Hungry Hollow Working Group to recommend projects and management actions to the YSGA's Executive Officer until the YSGA Board of Directors forms a Management Area Public Advisory Committee
- If the Board is interested in this option, staff can return in October with a proposed outline or charter



Recommended Actions

- Receive public comment
- Provide feedback on proposed changes to the well permitting procedures under Urgency Ordinance No. 1569
 - Permit appeal process
 - Verification of pumping capacity
 - Additional hydrogeologic review
 - Review of crop conversions
- Consider adoption of temporary 45-Day Moratorium on approval of new agricultural water well permits in the YSGA Focus Areas. Implementation of which would require:
 - Determine adoption of the ordinance is exempt from CEQA pursuant to CEQA Guidelines, Sections 15060(c)(2), 10561(b)(3), and 15306(Class 6)
 - Adopt the proposed urgency ordinance and set a noticed public hearing on October 7, 2025 to consider whether to extend the 45-day moratorium and whether to modify and extend Urgency Ordinance No. 1569 for Non-Focus Area agricultural well permits
- Consider and provide direction to staff regarding formation of a Working Group consisting of key stakeholders

August 19, 2025

TO: Yolo County Board of Supervisors
FROM: Annie Main Good Humus Produce
RE: Agricultural Well Permitting Update and Focus Area Moratorium

To the Honorable Supervisors of Yolo County,

I would like to ask the Yolo county Board of Supervisors to support and approve a moratorium on new agricultural well permits within the Focus Area of Yolo County. Not until the County and the YSGA has sufficient scientific data available and a well permitting process in place to be able to assess the impacts of pumping from the newly permitted wells on the sustainability of groundwater water levels in the Yolo Subbasin should new wells be approved. The moratorium is needed to prevent Yolo County from having a future, critically overdrafted basin like much of southern Central Valley-California's largest farming region groundwater where permitting and excessive agricultural pumping has exceeded replenishment for decades, causing groundwater depletion and subsidence.

In the past two months, 5 new wells have been drilled within a mile from our farm by Boundary Bend Olive Company. No matter which way we drive out of the farm to town we pass the development and their preparation to plant olive trees on 240 acres of previously irrigated land, and potentially up to 600 acres more of historic non irrigated land. It is hard to watch, it is gut wrenching actually, depressing. This community has been gathering and reporting our water level data to the YSGA for the last several years, and have presented to the Board of Supervisors showing water levels decline over the past ten years, these wells went in anyway.

Four of those five wells were approved on insufficient hypothetical hydrogeologic data that was not pertinent and did not use the locally gathered data relevant to the well locations. The fifth well, the replacement well was approved on false information given by the applicant, and lack of diligent permit review by the County inspectors. As a long time resident and farmer of Yolo County I do not feel our County Well Permitting Procedure, or the YSGA defended groundwater sustainability in the Hungry Hollow Community where I live, and I am asking with this moratorium, changes are put in place on how groundwater sustainability is addressed.

REASONS FOR A MORATORIUM in the Focus Areas of Yolo County:

- 1. INADEQUATE YOLO SUBBASIN CHARACTERIZATION. *There is insufficient data to characterize, therefore understand the aquifer conditions and subsurface complexities in the Focus Areas (it was these "data gaps" that were identified and which provided the reasoning for the YSGA to formally establish Focus Areas in the first place).***

There is not enough representative monitoring wells in the Focus Areas to provide adequate information as to the effects of the existing wells that are in use now, and certainly not with additional new wells being approved. Not until sufficient water level and pumping impacts has been collected, will it possible to understand if there is a detrimental decline in the aquifers. Until there are sufficient monitoring wells constructed and monitored, and elimination of data gaps can sound decisions can be made on whether or not to permit new wells that will affect groundwater sustainability. Right now there is not sufficient data to determine if new wells will adversely affect groundwater management, and are not able to deny a well application with this lack of scientific data and evidence.

2. **LIMITED ANALYTICAL TOOLS FOR PREDICTING GROUNDWATER PUMPING IMPACTS.** *Currently, an outdated GSP groundwater computer model is used as the analytical tools to determine if a new well will interfere with nearby wells or impact YSGA groundwater sustainability goals.*

The GSP acknowledges model limitations in areas of the Yolo Subbasin, in particular, the Focus Areas. In addition, aquifer parameters used in the model and the analytical tools used by the YSGA and consultants are uncertain (i.e. no data or insufficient data exists to estimate aquifer parameters).

The long-term goal is to have a working, reliable tool (model) that can support the integrated water resources planning and management on an ongoing basis by simulating impacts of alternative water management actions, water development projects, land-use changes and other activities on groundwater and surface water flow and quality, habitat, and agricultural economics. The groundwater flow and interactions between surface water and groundwater will be central to any water management scenario for Yolo County. Even though there is a huge effort to collect data, *the estimated time is 3 years until a large enough aggregation of data is gathered and will be enter at one time, will the model updating take place.*

3. **Current evaluations, including Hydrogeological reports** required in Focus Area (County Emergency Ordinance Tier 2 requirement) have required the use of estimates of aquifer parameters. These third party reports done by consultants chosen by the landowner are arguably in favor of the well permit applicant's position that groundwater impacts are minimal. Furthermore, the YSGA cannot question the analytical parameters and conclusions reached by of the Hydrogeological consultant. These basic evaluations need to be addressed.
4. **Hydrogeologic Reviews**-With the data gaps, the current data is inadequate to the task of determining the effects of continuous additional extraction in the Focus Areas. With the lack of monitoring wells in the Focus Areas the Hydrogeological Reviews are using disparate information and using this lack of information to make their decisions. Not until there is sufficient data can a hydrogeological review be of any value in determining if a new well will have an effect on surrounding wells, and on groundwater sustainability goals.
5. **YSGA STATEMENT OF AUTHORITY.** *Currently, the YSGA states they have authority to evaluate both pumping impacts to other wells (well interference), and to limit pumping of permitted wells that could impact sustainability goals. They view their role as review and advise only. Currently they are not able to enforce their authority until they have scientific data to backup their decisions and therefore no ability to enforce extractions for groundwater sustainability.* Although the YCEH issues the new well permit, their roles is essentially limited to public health concerns and do not directly address well pumping interference and groundwater sustainability. The YSGA is tasked with essentially all non-public health groundwater concerns including groundwater sustainability. By law, we understand that YSGA has the authority to 1) control the spacing and design of extraction wells, and 2) to limit groundwater extractions (well flow rate, i.e. both the instantaneous pumping flow rate and cumulative flow), and has the authority to require monitoring of groundwater levels and

flow. Without sufficient scientific data the YSGA cannot enforce their authority and do their job of reaching groundwater sustainability.

YOLO COUNTY MORATORIUM GUIDELINES

1. The initial 45 day urgency moratorium period should be used to outline and define what goals to accomplish during a pause in well permitting within the Focus Areas
2. The pause on well drilling in the Focus Areas will give the time needed to collect the data that is currently missing from the focus areas.
3. The goal of the moratorium is to create a water budget and sustainable yields within the entire focus areas of Yolo County.
4. This moratorium ordinance is not indefinite, but will be reviewed one year at a time. Qualifiers need to be determined to continue from one year to the next and would be reviewed annually. These qualifiers are the determination of Sustainable Yields, sufficient Monitoring wells within the focus areas and the update of the computer model, which is the analytical tool that determines if a new well will interfere with nearby wells or impact groundwater sustainability.
5. The moratorium needs to include a provision that allows replacement wells. Replacement well definition is a well that has been in used in the past 3 years out of 5. In the case if the Replacement wells that are in conjunctive use areas within the focus area (DWD and YCFC&WCD), the new well to be recognized as a replacement well must be replacing a non-functioning well that was used during one of last two years when surface irrigation deliveries were reduced by the water district due to drought or other reasons beyond the owner's control.
Proof of use from documented by PG&E bills, or in the case of diesel pumps, crop acreage reports, photos of pumps in use, pesticide use permits or other documentation that establishes an irrigated crop was grown on the land serviced by the now non-functioning well.
6. To ensure that the focus areas moratorium is upheld, it is important to restrict new wells development that is outside the focus area from diverting groundwater or surface water onto non-irrigated land within the focus area.
7. During the time that a moratorium is enacted, the county needs to have thoroughly and completely updated the Urgency Well Permitting Procedures.

For these reasons, I highly encourage the Yolo County Board of Supervisors to support an interim pause on well drilling in the Focus Areas of Yolo County. This moratorium will enable careful scientific analysis and data collection that will enable the County to make a better-informed decision about the future water needs of the entire Focus Area of Yolo County.

Sincerely,
Annie Main
Co Owner of Good Humus Produce
Hungry Hollow, Yolo County

Yolo Concerned Citizens

“Urgency Moratorium on Agricultural Groundwater Wells in Yolo County Focus Areas.”

The **Yolo County Board of Supervisors does have the legal authority to establish a moratorium on agricultural groundwater extraction**, particularly through its role as the county’s legislative and land-use authority and in coordination with the **Sustainable Groundwater Management Act (SGMA)**.

Legal Basis for Authority

1. County Police Powers

- Under California law, counties have broad “police powers” to protect public health, safety, and welfare—including environmental protection.
- This includes the ability to adopt **urgency ordinances** or **temporary moratoria** on land and water use, especially when supported by findings of imminent threat or harm.

2. SGMA Compliance

- SGMA requires counties and Groundwater Sustainability Agencies (GSAs) to manage groundwater sustainably.
- The Yolo Subbasin Groundwater Agency (YSGA) requires a tiered review process for well permitting, reinforcing that they have a role in the review of new wells.
- Yolo County’s Department of Environmental Health (YDEH) issues well permits but **must coordinate with YSGA** for verification.

Draft Ordinance Framework: Urgency Moratorium on Agricultural Groundwater Wells in Yolo County Focus Areas

SECTION 1. Title

This ordinance shall be known as the “Urgency Moratorium on Agricultural Groundwater Wells in Yolo County Focus Areas.”

SECTION 2. Findings

The Board of Supervisors finds and declares:

- **A. Imminent Threat:** Groundwater levels in Focus Areas such as the Dunnigan Hills and the Hungry Hollow have declined significantly, posing risks to domestic wells, ecosystems, and long-term agricultural viability.
- **B. Regulatory Gaps:** Current well permitting lacks sufficient coordination between the YSGA and the YDEH.
- **C. Public Welfare:** Continued issuance of new agricultural well permits on previously unirrigated land in the Focus Areas, without sustainability verification, threatens public health, environmental integrity, and equitable water access.
- **D. Legal Authority:** The County has authority under its police powers and CEQA to adopt temporary land and water use restrictions to prevent harm.

SECTION 3. Moratorium Imposed

- **A. Scope:** No new permits shall be issued for agricultural groundwater wells in designated Focus Areas unless the Board lifts the moratorium or adopts a permitting framework consistent with the goals and intent of SGMA.
- **B. Duration:** This moratorium shall remain in effect for **45 days**, with potential extension up to **22 months and 15 days** per California Government Code §65858.
- **C. Exemptions:** Domestic wells, public water systems, and emergency replacement wells that **have been used to irrigate a crop in 3 of the last 5 years**, may be exempted upon verification of non-impact to basin sustainability.

EXPECTATIONS AND GOALS FOR THE 45 DAY MORATORIUM

At end of a 45-day moratorium, a summary and agreement on goals:

- The BOS granting of a moratorium will provide a pause in the well permit process in the Focus Areas which was established because there are data gaps.
- The current permitting framework (process) is inconsistent with SGMA and an agreement with the YCEH and the YSGA and the permitting process needs improvements. County and the YSGA to be on the same page with Concerned Citizens to the problems of the current well permitting process and come to an agreement on what needs to be fixed.
- What the elements of a science-based permitting process are, and a detailed scope for obtaining additional data and completing this work, to updating the “Model” with this additional data.
- The cost and budget to complete the work to address data gaps and update analytical tools and models capable of addressing new well impacts on interference and sustainability.
- The timeline and a schedule for implementation. The completion of Item d would serve as the basis for the BOS to grant a moratorium time extension.

EXTENSION OF MORATORIUM

The BOS granting of a moratorium will provide a pause in the well permit process in the Focus Areas and the first 45 days are used to clarify the problems with the existing Well Permitting Process, additional time will be necessary to implement this process.

- a) This moratorium extension will enable focus area groundwater pumpers, YCEH, and the YSGA time to work together to develop a scope, budget and schedule to enable the data gaps to be better defined and addressed. This process will take time and money to obtain needed Hydrogeological data and to update groundwater models
- b) The current limitation of science-based approach has taken to date, such as used in developing guidelines for Focus Area well spacing and preparation of Hydrogeologic Reports (YSGA Tier 1 and 2 reports), there is an absence of relevant well and aquifer test data needed by the hydraulic tools used to calculate interference and

sustainability impacts. Given the lack of relevant hydraulic information, the extension of the initial 45-day moratorium would have the purpose of creating a well and aquifer test plan in the Focus Areas that could then be subsequently incorporated into well hydraulic tools used to more accurately estimate well interference by proposed new wells.

- c)** The Subbasin needs to be further reviewed and in some cases separated into smaller Subbasin boundaries. The YGSA and Hydrogeologic review process is broadly basing, applying and extrapolating relevant variables to areas where they likely don't apply. The areas in the focus near the edge of the basin are experiencing higher rates of well failures during drought periods than other parts of the Yolo Subbasin, and they are being aggregated into the larger Subbasin areas that are experiencing very dissimilar water level declines.

Synopsis: Urgency Moratorium on Agricultural Groundwater Wells in Yolo County Focus Areas

- Yolo Concerned Citizens call on the Yolo County Board of Supervisors to adopt an **urgency ordinance** halting new agricultural groundwater well permits in vulnerable regions such as the **Dunnigan Hills** and **Hungry Hollow**. The proposal asserts that the Board has clear legal authority under **California's police powers**, the **Sustainable Groundwater Management Act (SGMA)**, and **CEQA** to enact a temporary moratorium in response to declining water tables and regulatory gaps.
- The draft ordinance outlines:
- **Findings of imminent threat** to domestic wells, ecosystems, and long-term agricultural viability.
- **Coordination failures** between the Yolo Subbasin Groundwater Agency (YSGA) and the Department of Environmental Health (YDEH).
- A **45-day moratorium**, extendable under Government Code §65858, with exemptions for domestic and emergency wells that meet sustainability criteria.
- The proposal emphasizes that continued permitting without sustainability verification undermines public welfare and equitable water access. It urges the Board to act swiftly to protect Yolo County's groundwater legacy.

Synopsis: Expectations and Goals for the 45-Day Groundwater Moratorium

The initial 45-day moratorium proposed by Yolo Concerned Citizens is designed to **pause new agricultural well permits** in Focus Areas like Hungry Hollow and Dunnigan Hills, allowing time to address critical flaws in the current permitting process. The goal is to align County agencies, groundwater managers, and community stakeholders around a **science-based, SGMA-compliant framework**.

Key Objectives During the Moratorium

- **Clarify the Problem:** Acknowledge data gaps and inconsistencies between the Yolo County Environmental Health Department (YCEH) and the Yolo Subbasin Groundwater Agency (YSGA).
- **Define Goals:** Reach agreement on what needs to be fixed in the permitting process.
- **Outline a Science-Based Framework:** Identify necessary elements for sustainable permitting, including data collection and model updates.

- **Establish Budget and Timeline:** Determine the cost, scope, and schedule for hydrogeologic studies and analytical tool upgrades.

Extension Justification

If progress is made during the initial 45 days, an extension would allow:

- **Collaborative Planning:** YCEH, YSGA, and groundwater users to develop a detailed scope and budget for data collection and model refinement.
- **Hydrogeologic Testing:** Design and implement well and aquifer tests to improve estimates of interference and sustainability impacts.
- **Subbasin Reassessment:** Reevaluate and potentially redraw subbasin boundaries to reflect localized conditions—especially in edge areas experiencing disproportionate well failures.

This phased approach ensures that any future permitting decisions are grounded in robust science, regional equity, and long-term sustainability.

Yolo Concerned Citizens

Annie Main	anniehmain52@gmail.com	Hungry Hollow
Fritz Durst	fritz.durst@gmail.com	Hungry Hollow
Barbara Gemmill-Herren	bg11@mac.com	Capay Valley
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PRESIDENT
Robert Falconer
1ST VICE PRESIDENT

2nd VICE PRESIDENT

SECRETARY & TREASURER
Miranda Driver

Submitted Electronically

August 20, 2025

Yolo County Board of Supervisors
625 Court Street, Room 204
Woodland, CA 95695

RE: Groundwater in the Focus Areas and Well Drilling Moratoriums

Dear Members of the Yolo County Board of Supervisors:

The Yolo County Farm Bureau is a non-governmental, non-profit, voluntary membership organization with a mission of protecting and promoting agriculture throughout Yolo County. We represent over 700 farmers, ranchers, and citizens who are members of our organization. Agriculture represented \$901 million gross value to our county in 2023—a figure that understates agriculture's true economic impact when considering the value chain from farm to consumer.

The Yolo County Farm Bureau recognizes that there are areas in our county that face groundwater challenges. However, there are already measures in place to address these groundwater issues through the Yolo Subbasin Groundwater Agency's Groundwater Sustainability Plan. We believe it is in the county's best interest to allow this process time to work and to define with scientific evidence the best means to proceed. If restrictions on landowners were to be considered, we strongly encourage that these be voluntary agreements rather than mandates.

A well drilling moratorium does not raise groundwater levels, fix dry wells, or change the hydrology of our county. The Farm Bureau recommends efforts be focused on pragmatic solutions such as increased access to surface water and groundwater storage and recharge projects. These are actions that will aid in sustainable groundwater management for future generations. Managing by scarcity is not a workable solution.

This groundwater challenge is equally shared—it is not an "us versus them" issue. We must preserve opportunity for future generations and keep options open for landowners in our county. If we are going to restrict the drilling of wells, we must ask why we are not also restricting the building of homes or the paving over of open land that contributes to groundwater depletion.

Farmers and ranchers cannot control the weather, rainfall, crop prices, or input costs. They make decisions daily that affect their ability to provide for their families and pay their employees while



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PRESIDENT
Robert Falconer
1ST VICE PRESIDENT

2nd VICE PRESIDENT

SECRETARY & TREASURER
Miranda Driver

managing significant risk. Irrigation water is vital to any farm operation both agronomically and financially. Limiting landowners' rights to groundwater will reduce the value of their land and limit their ability to be financially successful. With crop prices currently down and input costs up, there is already a very difficult reality for many growers—a well moratorium could be the final burden that forces them out of business.

Agriculture is featured on the county seal today. The question before the county is whether agriculture will be allowed to remain viable for tomorrow.

The Yolo County Farm Bureau strongly opposes well drilling moratoriums and urges the county to focus on collaborative, science-based solutions that support both sustainable groundwater management and the continued viability of agriculture in Yolo County.

Sincerely,

A handwritten signature in black ink that reads 'Robert H. Falconer'.

Robert H. Falconer

President, Yolo County Farm Bureau

Public Comments from: Ricardo Amon, ricardoamon@sbcglobal.net

Addressed to the Yolo County Board of Supervisors

Topic: Well Permit Moratorium in the Yolo Subbasin Focus Areas

Distinguished Supervisors,

I am one of many individuals who have been concerned for years with the unregulated expansion of groundwater-dependent agriculture, in historic non-irrigated lands.

There is awareness among county residents, farmers, and advocates of the damage caused to aquifers in the Yolo Subbasin' Focus Areas.

We are members of a land community, which will depend on the choices that you will make to conserve groundwater.

Groundwater is the breath beneath us—the silent pulse that nourishes soils, crops, and rivers.

Science affirms that we are biologically connected to life, and the aquifers beneath Yolo County cannot be replaced once depleted.

Every new well-drilled without demand-side limits will increase the irreversible depletion of ancient aquifers. We owe it to future generations to protect these aquifers.

That is why we need an immediate moratorium on new agricultural groundwater wells in the Focus Areas of the Yolo Subbasin.

Not just a pause but a promise to listen, learn, and lead with wisdom and care, and to act out of reverence and solidarity with the land.

Please consider this ordinance as an opportunity to draft Yolo County Land Ethic principles, with respect to the land and waters that sustain our existence.

Gracias, ricardo amon

2408 Elendil lane, Davis, ca 95616

From: [Lynne Nittler](#)
To: [Clerkoftheboard](#); [April Meneghetti](#)
Subject: Moratorium on new agricultural wells
Date: Thursday, August 21, 2025 11:37:43 PM

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Comment from Lynne Nittler of Davis regarding groundwater ordinance:

Findings supporting a 45-day moratorium on new agricultural wells in the Focus Areas are set forth in the proposed Urgency Ordinance (Attachment A). To summarize, groundwater is a vital resource essential to the health, safety and welfare of the many communities and agricultural areas in the County. Therefore, it is necessary to better understand the impacts of land use changes on groundwater supplies and gather additional information to better inform the YSGA and County evaluation of proposed new agricultural wells in order to protect the sustainability of groundwater resources. Further study of the impacts of planting perennial crops on previously non-irrigated lands is essential to determine if further regulations should be implemented with respect to such land use changes in order to protect against unsustainable groundwater impacts.

Thank you,
Lynne Nittler

August 21, 2025

Regarding: well permits in Focus Areas

From: Jackie Lundy, Plainfield Ridge Focus Area

Dear Supervisors,

I strongly urge you to consider a pause in the well permits in **ALL** the Focus Areas in Yolo County. In my Focus Area, the Plainfield Ridge, we had 8 domestic/ag combination wells go dry since the almond orchards moved in next to us. Another 6 wells had to lower their pumps or take other steps due to lack of water. The idea of another big ag well being permitted in our neighborhood is extremely frightening since determining the impacts on our wells is very questionable. This scenario is the same in other Focus Areas too. The current permit process needs revision. Additionally, groundwater management methods, relevant data bases, and policies need to be articulated to assure a sustainable use of our groundwater supplies before more permits are given out.

One of the defining characteristics of Focus Areas is the lack of relevant data for assessing impacts of new wells. Continuing to give well permits in these areas when no data is available and/or using data from other parts of Yolo County, makes for unrealistic analyses. For example, my well, dropped 75' in 2024 while the neighboring orchards were irrigating. The closest monitoring well for the County, which is not in my Focus Area, only dropped 20' in 2024. Trying to apply the monitoring well data to assess potential impact to nearby wells in my area is obviously unreliable. This is why each of the Focus Areas needs to have data collected and to have water budgets determined before additional well permits are given.

2.

The water budgets developed during this pause can then be used to determine policies for groundwater resources to be implemented with each new well permit e.g. each new well will be equipped with a transducer that reports to the YSGA. These water budgets, management methods, and policies all need to be in place to accomplish sustainable groundwater uses. A pause in permits gives the opportunity to accomplish this.

Sincerely,

Jackie Lundy

Julie Dachtler

From: Rick Johnston <johnstrl77@gmail.com>
Sent: Friday, August 22, 2025 3:02 PM
To: Clerkoftheboard
Cc: April Meneghetti
Subject: Moratorium on Agricultural well drilling

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Dear Board of Supervisors:

I would like to urge the Board of Supervisors to put a 45 day moratorium on new agricultural groundwater wells in the Hungry Hollow focus area with a potential extension up to 22 months. This moratorium would exclude domestic wells and replacement wells that have been used to irrigate a crop in 3 of the last 5 years.

From various reports and meetings I have attended, it is apparent there are gaps in data at this point to determine the effects of any new wells on groundwater sustainability. More time is needed to collect the hydrogeological data and update the models. Also a plan needs to be in place prior to issuing any new agricultural well permits to provide guidance on who has the authority to approve or decline permits

Thank you for your consideration.

Rick Johnston,
Landowner in the Hungry Hollow focus area

8/23/2025

Yolo County Board of Supervisors
625 Court Street, Room 204
Woodland, CA 95695

RE: Groundwater in the Focus Areas and Well Drilling Moratoriums

Dear Members of the Yolo County Board of Supervisors:

On behalf of my farming operation I'm writing to formally oppose the proposed well-drilling moratorium as presented by county staff for the following reasons:

1. Hungry Hollow is the primary driver behind the proposed moratorium. I do not believe thousands of additional acres in Central Yolo should be pulled into Hungry Hollows dispute.
2. The proposed language adds all APN touching the boundaries of the focus areas. This unnecessarily adds thousands more acres to the moratorium that would otherwise not be included.
3. The proposed language does not address replacement wells if a moratorium were put in place.

A small corner of my family farm is currently touching the Central Yolo focus area. As proposed my entire parcel would be pulled in unnecessarily. Most years we use 100% surface water on our +2,000 acres farmed in Central Yolo and do not see the same well issues as the farms in Hungry Hollow.

I acknowledge there are challenges in Hungry Hollow and support those growers efforts to better manage their ground water supply locally within Hungry Hollow. I do not, however, support the broad overreach being presented by this moratorium.

These comments are submitted on behalf of my own farming interests and are not necessarily representative of the several boards and committees I serve on in the community.

Regards,

Lee Smith
Liberty Orchards

Julie Dachtler

From: Jose Garcia <jgarcia2@yccd.edu>
Sent: Saturday, August 23, 2025 11:14 AM
To: Angel Barajas; Oscar Villegas; Lucas Frerichs; Mary Vixie Sandy; Sheila Allen; Clerkoftheboard
Subject: RE: Opposition to Proposed 45-Day Moratorium on Agricultural Water Well Permits (Urgency Ordinance No. 1569)

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August 23, 2025

Yolo County Board of Supervisors
625 Court Street, Room 204
Woodland, CA 95695

RE: Opposition to Proposed 45-Day Moratorium on Agricultural Water Well Permits (Urgency Ordinance No. 1569)

Dear Chairperson and Members of the Board,

As a local farmer, an active member of the Yolo County Farm Bureau, and a locally elected official, I am writing to express my strong opposition to the proposed 45-day moratorium on the issuance of new agricultural water well permits within the Yolo Subbasin Groundwater Agency's Focus Areas, as outlined in Urgency Ordinance No. 1569.

Let me be clear: I fully support a thoughtful, transparent study of well permitting procedures and long-term groundwater management strategies. I recognize the need to ensure a sustainable future for our shared water resources. However, imposing a blanket moratorium—even temporarily—on new agricultural wells will cause immediate, significant, and unnecessary harm to local farmers, with no demonstrable benefit to the study process itself.

Agricultural operations are highly seasonal and water dependent. The ability to drill or replace wells in a timely manner is often critical to maintaining crops, fulfilling contracts, and protecting farm viability. By halting well approvals, even for just 45 days, the County risks disrupting livelihoods, threatening crop production, and damaging trust between the agricultural community and local government. Many farms, particularly family-owned operations, cannot afford that disruption.

Furthermore, the proposed moratorium will not accelerate or materially aid the County's study efforts. A parallel process—one that allows permitting to continue with enhanced review or temporary conditions—could achieve the County's goals without penalizing farmers. Collaboration, not prohibition, is the path forward.

I strongly urge the Board to reject the moratorium and instead focus on forming the proposed stakeholder Working Group—including voices from the farming community—to help develop equitable, science-based well permitting reforms. The agricultural sector wants to be a partner in sustainability. But

that partnership cannot begin with a policy that undermines our ability to operate and threatens our livelihood.

Thank you for your time and for considering this perspective. I would welcome the opportunity to further discuss constructive solutions that protect both our groundwater and our local farms.

Sincerely,

Jose L. Garcia

916.425.7054

Trustee Yuba Community College District Area 6
Local Farmer, member of Yolo County Farm Bureau



Explore, enjoy and protect the planet

MEMORANDUM

To: Yolo County Board of Supervisors
From: Sierra Club Yolano Group
Date: August 23, 2025
Re: Support for a Temporary Moratorium on Well Drilling in Focus Areas in Yolo County

Dear Supervisors -

The Sierra Club Yolano Group is very supportive of a proposed temporary moratorium on new well drilling in identified Focus Areas in Yolo County for the following reasons:

- 1) Agriculture is the foundation of the Yolo County economy and water is the lifeblood of agriculture. Without plentiful water, agriculture as we know it in Yolo County would not exist. It is incumbent on our Yolo County leaders to conserve this precious Public Trust Resource with thoughtful, protective regulations to prevent waste and misuse leading to groundwater overdrafting and unrecoverable drops in water depth and land subsidence such as has been clearly seen in the South San Joaquin Valley..
- 2) The State of California has mandated that local agencies undertake this role with respect to groundwater management and conservation through the formation of various groundwater subbasins throughout the state. These regulatory agencies are charged with monitoring groundwater use and levels and prescribe means by which groundwater can be beneficially utilized without overdrafting and depletion of aquifers within their respective subbasins. However, in Yolo County authority for permitting wells still clearly lies within the purview of the Board of Supervisors.
- 3) Substantial evidence exists that groundwater levels in certain areas of the County are dropping - primarily along the western edge of the County as the landscape transitions from foothills to a level plain. In recognition of this fact, these areas have been deemed "Focus Areas" by the local Yolo Subbasin Groundwater Agency (YSGA). The Focus Areas were determined using various hydrologic data, reported citizen concerns, and professional judgment to delineate areas in the Yolo Subbasin that may be sensitive to groundwater pumping and warrant additional information and analysis. As a result, well permit applicants in the Focus Areas are required to submit additional information for the YSGA to review as part of the written verification process. However, this additional information is provided by

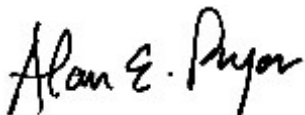
engineers selected by the permittee and the additional information provided makes certain assumptions that sometimes conflicts with similar assumptions and evaluation provided by the Yolo Subbasin Groundwater Agency. It is therefore imperative that additional independent scientific data be obtained to resolve these assumption discrepancies before additional wells are permitted in the Focus Areas.

5) Indeed, continuing to permit new wells to be constructed in the Focus Areas when there exists uncertainty regarding undesirable impacts, including falling groundwater levels, impaired water quality, and damage to infrastructure and aquifer storage capacity from sinking lands, is not a sound policy for management of Yolo County's groundwater *Public Trust Resources*.

4) As a result, ***the Sierra Club Yolano Group is supportive of and requests an immediate 45-day moratorium on all new agricultural well permits in the Focus Areas, as recommended in the Staff Report and that such a moratorium be repeatedly renewed until the County and the YSGA has sufficient scientific data available and a well permitting process in place to be able to assess the true impacts of pumping from the newly permitted wells on the sustainability of groundwater water levels in the Focus Areas.*** Such a moratorium declaration is clearly within the scope of powers authorized to be exercised by the Board of Supervisors to protect this critical *Public Trust Resource*.

Thank you for your dutiful and careful consideration of our request.

Respectfully submitted,

A handwritten signature in black ink that reads "Alan E. Pryor". The signature is written in a cursive, slightly slanted style.

Alan Pryor, Chair and on behalf of the
Sierra Club Yolano Group

Julie Dachtler

From: Scott Steward <scottsteward@posteo.net>
Sent: Sunday, August 24, 2025 1:40 PM
To: Clerkoftheboard
Cc: April Meneghetti
Subject: RE: Item 37 for 8/26 BOS meeting: request Supervisors vote for the implementation of the 45 Focus Area well moratorium.

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Dear Supervisors,

A thank you to County Staff, your staff, for navigating a way to protect a vulnerable part of our County/region's groundwater

The Concerned Citizens, Yolo Subbasin Groundwater Agency, and the County recognize that time is needed to fill substantial information gaps before the once lofty goal of water budgeting regional groundwater supply can be put into practice. Protecting legacy use of groundwater, particularly for growing local food, can and should take priority. Please vote for the implementation of the 45 Focus Area well moratorium and direct staff to prepare the agenda item to allow for 10 10-month and then 12 12-month extension.

Here are some of the main gaps, named in the staff's Attachment A, that need time to be discerned.

- Currently, there are no limitations in the County's Zoning Regulations with respect to crop conversions on agriculturally zoned lands (conversions from non-irrigated to fully irrigated high water demand perennial crops). In the 2025 Annual Yolo Subbasin Report, YSGA noted with respect to the accuracy of water use estimates that the "largest source of uncertainty is land use data and irrigation applications."
- The YSGA is also working on land use model enhancements that are slated for future GSP updates that won't be completed until 2027. Currently, the Yolo Subbasin Groundwater Sustainability Plan does not include land use change forecasts, but holds the 2016 land use patterns constant into the future when modeling groundwater impact. The YSGA is very aware of the need for an update.
- The Hungry Hollow water budget development and associated White Paper are not expected to be completed until April 2026.

Years in the making, this 45-day Focus Area well moratorium is an essential and necessary additional step toward a reliable groundwater sustainability policy for our region.

Scott Steward
Fridays for Future
Yolo Climate Emergency Coalition
Culture of Community - Climate Team
Concerned Citizens

Julie Dachtler

From: linda bell <v1o@omsoft.com>
Sent: Sunday, August 24, 2025 6:23 PM
To: Clerkoftheboard
Subject: Concerned Citizens Urgency Moratorium - August 26 BOS meeting

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Members of the Yolo County Board of Supervisors,

I thank you for the opportunity to comment on the Concerned Citizens “Urgency Moratorium on Agricultural Groundwater Wells in Yolo County Focus Areas”

I recommend that the Yolo County Board of Supervisors approve the initiation of the Urgency Moratorium given the following DWR evaluation of the Yolo County GSP.

DWR Evaluation of the Yolo County GSP

The end of the Concerned Citizens Moratorium proposal includes a section titled “Extension Justification”. Under this section they state: “If progress is made during the initial 45 days, an extension would allow:.....“

The elements delineated in this “Extension” echo portions of DWR’s October 26, 2022 Evaluation letter sent to Kristin Sicke regarding the Sacramento Valley - Yolo Subbasin - 2022 Groundwater Sustainability Plan. (See:https://www.yologroundwater.org/files/080f9c590/Yolo_GSP2023_Determination.pdf)

I have included portions of the DWR letter (Pages 19 through 22 and 35 through 36) that directly address the Element of “Chronic Lowering of Groundwater Levels (my underlining);

“The GSP defines significant and unreasonable effects results for chronic lowering of groundwater levels as “the point at which significant and unreasonable impacts over the planning and implementation horizon, as determined by depth or elevation of groundwater, affect the reasonable use of, and access to, groundwater by overlying users.”¹⁴³ Department staff note the definition of significant and unreasonable effects is vague and circular. Simply stating avoiding conditions that are “significant and unreasonable impacts over the planning and implementation horizon” is insufficient to understand what constitutes these conditions and when they would occur. Department staff recommend the GSA clarify what significant and unreasonable effects are in the Subbasin that they are managing the Subbasin to avoid (see [Recommended Corrective Action 1a](#)).

¹³⁷ 23 CCR § 354.30 (b).
¹³⁸ 23 CCR § 354.26 (d).
¹³⁹ 23 CCR § 354.28(c)(1) *et seq.*
¹⁴⁰ Yolo Subbasin GSP, Section 3.3.1.2, pp. 281-282.
¹⁴¹ Yolo Subbasin GSP, Section 3.3.2.1, p. 282.
¹⁴² Yolo Subbasin GSP, Section 3.3.1.1, p. 281.
¹⁴³ Yolo Subbasin GSP, Section 3.3.1, p. 281.

RECOMMENDED CORRECTIVE ACTION 1

Revise the proposed sustainable management criteria for the chronic lowering of groundwater levels as follows:

- a. Clarify what significant and unreasonable effects for the chronic lowering of groundwater levels are in the Subbasin that the GSAs are managing the Subbasin to avoid.
- b. Provide additional discussion and amend the definition of undesirable results. Specifically, the GSA should explain how local exceedances within just one management area are not considered an undesirable result. Further, the GSA should clearly define a time component for when an undesirable result will occur.
- c. Describe how the selection of minimum thresholds of groundwater levels will avoid undesirable results for other sustainability indicators.

——end of quote——

Given this DWR evaluation, it is appropriate that the Yolo County Board of Supervisors recognize the need to adopt this Urgency Moratorium.

Thank you for the opportunity to comment on this proposal that will be addressed at your August 26th Board Meeting.

Respectfully yours,

Linda Bell
v1o@omsoft.com

Julie Dachtler

From: K Spanos <katy.a.spanos@gmail.com>
Sent: Sunday, August 24, 2025 7:24 PM
To: Clerkoftheboard
Subject: Moratorium in Focus Areas

CAUTION: External Sender. Please do not click on links or open attachments from senders you do not trust.

Comment on 45-day moratorium on the approval of agricultural well permits in the Focus Areas of the Yolo Subbasin Groundwater Agency

Our family has been a subscriber to Good Humus Produce (one of the early Community Supported Agriculture farms which are icons of California's family farming community) for close to 30 years. Our family was one of the early families in California to appreciate the amazing resource provided by Good Humus Produce (and other similar farms) and its value for California and the environment. We are thankful to be able to take advantage of this opportunity to (1) know the source of our weekly fruits and vegetables, (2) know that the food was coming from land where the farmers were caretakers of the soil and the related environment and (3) support small family farms that are critical to the mosaic of farming, urban and wildlife habitat that makes California unique.

Good Humus Produce is located in the Hungry Hollow area of the Yolo Subbasin Groundwater Agency (YSGA). Farmers in Yolo County, and especially those from Hungry Hollow, have been leaders in encouraging the development of these kinds of farms. With this in mind, we have been concerned about the developments in Yolo County which are permitting groundwater wells, especially in the areas identified as Focus Areas by the YSGA. We have reviewed the proposal to adopt a temporary 45-Day Moratorium on the approval of new agricultural water well permits in the YSBA's Focus Areas and strongly urge the Yolo County supervisors to adopt the proposed urgency ordinance and set a noticed public hearing within 45 days of adoption, to consider whether to extend the 45-day moratorium and whether to modify and extend Urgency Ordinance No. 1569 for Non-Focus Area agricultural well permits.

We support the intent and purpose of the proposed moratorium to temporarily halt the issuance of new agricultural water well permits in the denoted Focus Areas in order to maintain the status quo to enable the County and YSGA to study and develop policies and regulations and implement other recommended actions for issuing well permits within the Focus Areas.

Water Code Section 113 (enacted by SGMA) states that “[I]t is the policy of the state that groundwater resources be managed sustainably for long-term reliability and multiple economic, social, and environmental benefits for current and future beneficial uses.” In enacting SGMA, the Legislature recognized the importance for communities, farms, and the environment of properly managing groundwater resources and recognized that failure to manage groundwater to prevent long-term overdraft infringes on groundwater rights. SGMA states the Legislature’s intent to “enhance local management of groundwater consistent with rights to use or store groundwater and Section 2 of Article X of the California Constitution” (Water Code Section 10720.1).

The staff report identifies a growing amount of investment agriculture which is developing land and water resources with perennial crops on irrigated field crop lands and on previously unirrigated lands in the Focus Areas. As noted in the GSP, “An important feature of land use changes in the Subbasin is an increasing acreage of perennial crops (deciduous, subtropical, and vines), which have partly replaced field crops, and brought previously uncultivated area into production in some regions. Because perennial crops are permanent, they decrease the flexibility of water demand (“demand hardening”). (GSP, Sec. 2.3.2.) The options above for changes to Urgency Ordinance No. 1569 include consideration of longer-term changes that take into consideration groundwater demand hardening with conversions to perennial crops, but absent a moratorium or temporary pause on well permits in the interim, new wells would be approved in the Focus Areas where data gaps and groundwater sustainability concerns are of particular concern”.

We believe that new groundwater wells should not be permitted where there are data gaps which exist with regard to groundwater sustainability, including potential lowering

of the groundwater table. The lowering of the groundwater areas in the Focus areas, spreads additional costs for well drilling, lowering pumps and operating costs and may threaten the ability of some farms to access water needed to supply their needs. These types of impacts affect both homeowners and farmers who have chosen to live and work in the area, and who have provided many economic, social and environmental benefits to the area. Continuing new agricultural development (and quite likely recent past agricultural development) is not likely to continue without adversely affecting the sustainability of the ground water basin with respect to current and future economic, social, and environmental beneficial uses. Difficult choices may have to be made, including restrictions on new and recent production that would adversely affect groundwater levels. The process going forward should take into consideration: the impact of climate change on groundwater management; the nature of different agricultural operations and their impacts on local economies and the environment; and, if they become necessary, how pumping restrictions should be allocated, including limits based on historic pumping. We commend the suggestion to establish working groups for different subareas that can assist in providing input to YSGA and the County.

Given the level of current knowledge of ground water levels and effects of current and future planned agricultural development, we strongly support the need for a moratorium on new wells in the Focus Areas of Yolo County.

Katherine and George Spanos

Katy.A.Spanos@gmail.com



Vitis & Ovis
FARM

CAPAY, YOLO COUNTY

August 24, 2025

To the Honorable Board of Supervisors of Yolo County,

We are farmers in Capay Valley. We see Yolo County's actions on groundwater as critical to our livelihood. We have engaged with the Yolo Subbasin Groundwater Sustainability Plan (GSP) and follow the growing understanding of what is needed now and, in the future, to manage groundwater for all in the Yolo Subbasin. We applaud the decision of the Yolo Sustainable Groundwater Agency to define Hungry Hollow as part of a Focus Area where additional information is necessary before new wells are permitted.

This letter is written in support of the proposed 45-day moratorium on well permits in the Focus area, and on the formation of an Advisory Committee to help the county address the creation of a Well Permitting Ordinance.

The future of agriculture in Yolo County will be shaped by your vote. Decisions around water are always hard and contentious, but inevitably we share water and need work together to manage it fairly and with an eye to the long term. We know shockingly little about the precious resource of groundwater, and should manage to increase our knowledge, moving to an appreciation of groundwater as a common resource, not individually accessed without consideration of the impact on the viability of our valued farming communities.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read 'B Gemmill-Herren', with a long horizontal flourish extending to the right.

Barbara Gemmill-Herren
Vitis and Ovis Farm

Julie Dachtler

From: LeAnn Herigstad <leannherig@gmail.com>
Sent: Sunday, August 24, 2025 9:20 PM
To: Clerkoftheboard
Subject: Comments for 08262025 Board of Supervisors mtg, re: item 37: Ag wells moratorium

CAUTION: External Sender. Please do not click on links or open attachments from senders you do not trust.

Dear Board of Supervisors,

Re: item 37: Agricultural water wells moratorium

Please vote for the 45 day moratorium on new ag water wells. It is critical to protect our groundwater resources.

Perhaps the industrial ag interests could cultivate crops that are drought resistant and require less irrigation.

Thank you,
LeAnn Herigstad
20 Outer Circle
Davis CA 95618
530 681 5536 cell

August 25, 2025

RE: Agenda Item 37

From:

Nancy T. Price
1223 Sequoia Place
Davis, CA 95616
530-402-5804

To:

Ana Morales, Clerk of the Board, Yolo County Board of Supervisors
April Meneghetti, Director, Department of Environmental Health

For several years as I have been driving around Yolo County, I been very aware of how many acres of unirrigated land have been and still are being converted to crops that need irrigation water year-round such as grape vines, olive, and nut trees. I have often wondered and commented to friends how long this conversion could continue until there is impact on groundwater and wells.

After reading Scott Steward's excellent article, "County Board of Supervisors Prepares to Protest Local Groundwater" in The Davisite <https://www.davisite.org/2025/08/county-board-of-supervisors-prepares-to-protect-local-groundwater.html>, I am writing to ask for a "YES" vote by the Supervisors on the 45-day Focus Area well moratorium that I consider both an essential and very necessary additional step toward a reliable groundwater sustainability policy. As Scott Steward point: "it looks to be the case that the Board, County Staff, and the YSGA ae very prepared to correct the course of actions that led to the need for the long process and an Appeal to deny suspect commercial well approvals this past April. As Steward emphasizes, clearly the 45-day Focus Area well moratorium is long overdue and the need to fill substantial information gaps is over-due.

I support 45-day moratorium that states: "To summarize, groundwater is a vital resource essential to the health, safety and welfare of the many communities and agricultural areas in the County. Therefore, it is necessary to better understand the impacts of land use changes on groundwater supplies and gather additional information to better inform better YSGA and County evaluation of proposed new agricultural wells with an eye towards protecting the sustainability of groundwater resources. Further study of the impacts of the planting of perennial crops on previously non-irrigated lands is critical to determine if further regulations should be implemented with respect to such land use changes to protect against unsustainable groundwater impacts."

Thank you,

Nancy T. Price



August 18, 2025

To the Honorable Supervisors of Yolo County,

I want to thank you for your attention and focus on the most important environmental challenge facing Yolo County and all of California: our changed climate and the consequences of perennial draught caused by climate change.

Yolo County and California exist in a perpetual condition of ground water overdraft. Unsustainable extraction of ground water exacerbates the over drafting of aquifers causing the associated problems of subsidence, dry wells, and inequity of water distribution to farms and surrounding communities.

I encourage the Yolo County Board of Supervisors to support an interim pause on historic non irrigated land in the Focus Areas of Yolo County. This moratorium will enable careful scientific analysis and data collection that will enable the County to make a better-informed decision about the future water needs of the Focus Area of Western Yolo County.

Sincerely,

A handwritten signature in blue ink that reads "Craig McNamara". The signature is written in a cursive, slightly slanted style.

Craig McNamara

Craig McNamara
Owner and President
Sierra Orchards

Julie Dachtler

From: Dave Runsten <daverunsten@gmail.com>
Sent: Monday, August 25, 2025 11:21 AM
To: Clerkoftheboard; April Meneghetti
Subject: Item 37: well moratorium

CAUTION: External Sender. Please do not click on links or open attachments from senders you do not trust.

Dear Yolo County Board of Supervisors:

I am writing to support the proposed well drilling moratorium in the Focus Areas identified by the YSGA. Whatever legal hoops you have to jump through, I would note that the San Luis Obispo Board of Supervisors has had some type of moratorium on expanded groundwater pumping in their focus areas east of Paso Robles since 2013. It has evolved over time, but without it the overdraft problems in that county--which are more severe than in Yolo County--would be much worse.

Let's stop making our problems worse while the YSGA figures out what the limits to pumping really are. I fear that the next drought will dry up many wells, and we have already learned of rural residents and small farms having had to replace wells as the water table has fallen. April Meneghetti has correctly identified the conversion of previously unirrigated land to perennial crops as a significant contributor to overdraft. This is a problem all up and down the Sacramento and San Joaquin Valleys and In reality led to the creation of the Sustainable Groundwater Management Act. But land use is the purview of the County and only the Board of Supervisors can impose controls on it.

I urge you to impose a temporary moratorium on well drilling in the focus areas and to undertake a serious effort to figure out what to do about land conversion.

Sincerely,

Dave Runsten

--

David Runsten
Policy Consultant
PO Box 73675, Davis CA 95617
310-925-0857 cell

Julie Dachtler

From: Heather Caswell <hcaswell211@gmail.com>
Sent: Monday, August 25, 2025 11:36 AM
To: Clerkoftheboard
Subject: Please support WellMoratorium on 8/26

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Dear County Supervisors,

I urge you to vote in favor of the much needed well moratorium for the North and West Yolo regions, where ground water replacement rates are declining and not yet understood.

Thank you!

Heather Caswell
Owner of The Wardrobe
Founder of the Davis Community Vision Alliance

Julie Dachtler

From: clutterbarbara@gmail.com
Sent: Monday, August 25, 2025 1:50 PM
To: Clerkoftheboard
Subject: Well Moratorium

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Dear Supervisors,
Please support the 45-day Well Moratorium for the north and west Yolo regions, where ground water replacement rates are declining, are not well understood, and where previously unirrigated land is being converted to year-round water demand: grape vines, olive, and nut trees.
Sincerely,
Barbara Clutter, Davis



August 25, 2025

RE: Support of Moratorium on New Agricultural Well Permits in YSGA Focus Areas

To the Honorable Supervisors of Yolo County,

Community Alliance with Family Farmers thanks you for your attention to Yolo County groundwater. SGMA implementation combined with a changing climate and the threat of drought make our attention now critically important for future generations.

We are writing in support of the proposed moratorium on the approval of new agricultural water well permits in the YSGA Focus Areas including parcels that are only partially located in the Focus Areas.

Several other counties, like San Luis Obispo and Sonoma have taken a similar step to protect groundwater in sensitive areas. In San Luis Obispo, the Board of Supervisors approved a resolution to ensure that if there was not existing irrigated crop production on site within the 5 years preceding the permit application, and if the site was within the "area of severe decline", then there are no options for new or expanded irrigated crop production under the current ordinance.

Alarm in response to vast new plantings of perennial crops on previously unirrigated land has been voiced in many northern Sacramento Valley counties. The number of acres planted to perennial crops in Yolo County nearly tripled between 1997 and 2021 and 20% of those lands were historically unirrigated leading to an overall increase in water demand. Now, planting of new almond and walnut orchards has slowed, but pistachio and olive orchards are taking their place. Because perennial crops require high initial investment and cannot be fallowed, the increase in perennial plantings has resulted in hardening of demand for groundwater. As the Ag Well Staff Report submitted by April Meneghetti states, further study of the impacts of these changes in land use should take place. As SGMA implementation results in water scarcity in southern parts of the state, we encourage strong protection now to ensure that Yolo County's valuable groundwater resources are preserved.

The staff report proposes the formation of a Working Group. Some additional considerations for the Working Group, the YSGA, and for Yolo County staff and Board are as follows:

1. If domestic wells or small farm agricultural wells in the Focus Areas go dry as a result of groundwater overdraft, a dry well mitigation program is needed to guarantee that family farms and rural residents can continue to survive and thrive. Especially if the well moratorium is not approved, it's critical that those with shallow wells do not risk well dewatering as a result of increased pumping happening around them.



2. The cumulative impacts of increased groundwater extraction in the Focus Areas needs to be better understood. When considered alone, any one well is unlikely to register a significant impact but a more thorough analysis of all agricultural wells proposed to be added in an area would likely produce different results. This cumulative analysis should be incorporated in well applications, rather than examining them only one at a time.
3. The hydrogeologist that provides analysis for well permits should be contracted through YSGA rather than through the applicant, with the applicant paying for this cost as they currently are. The hydrogeologist should be familiar with the history of wells going dry in the Focus Area and should have no affiliation with any well drilling companies or agricultural operations.
4. Agricultural wells that have been permitted in the Focus Areas in the last five years should be required to install meters. The property owners would be required to report this information to the YSGA on an annual basis. This would serve two purposes. It would provide verification that the wells are not pumping more than was indicated on their well permit, and it would assist the YSGA in gathering the data needed in the Focus Area. This suggestion was part of the staff report for the August 26 Board of Supervisors meeting.

Thank you very much for your consideration. The moratorium and subsequent study of these issues is a service to Yolo County small farmers, to the communities in the Focus Areas, and to all of us who care about our precious water resources.

Sincerely,

Catherine Van Dyke
Deputy Director of Water Policy, Community Alliance with Family Farmers

Judith Redmond
Founding Farmer, Full Belly Farm
SGMA Project Researcher, Community Alliance with Family Farmers

Lan Ngo
Groundwater Community Outreach Contractor, Community Alliance with Family Farmers

Julie Dachtler

From: David Sandino <david.sandino05@gmail.com>
Sent: Monday, August 25, 2025 3:05 PM
To: Clerkoftheboard
Cc: April Meneghetti
Subject: Groundwater Management

CAUTION: External Sender. Please do not click on links or open attachments from senders you do not trust.

Dear Chair Sandy and Members of the Board of Supervisors

I am a university water law professor, but I am writing to express my personal views as a Yolo County citizen interested in promoting sustainable groundwater management practices for the long-term prosperity of the County. This letter is to express my support for a 45-day well moratorium for agricultural wells in the Focus Areas as discussed in the staff report. As noted in the report, there are eleven pending applications in the Focus Areas, which could further collectively stress those areas if the wells were approved. This moratorium would provide an opportunity to develop improvements for the Urgency Ordinance 1569 to enhance groundwater management in Yolo County and to preserve the status quo in the Focus Areas to avoid any further groundwater levels declines. In addition, the moratorium may allow for additional well data and groundwater levels information to become available after this summer's irrigation season to assist in the improvement of the ordinance.

It is prudent for this Board to take a careful approach to groundwater management through a moratorium and ordinance improvements. Looking around the State outside of Yolo County, other groundwater basins have reached a tipping point due to low groundwater levels, subsidence, and contaminated groundwater. The result has been that seven groundwater basins are under probationary review by the State Water Resources Control Board and facing potential State takeover, and five basins are in base-wide adjudications (expensive water rights lawsuits involving many land owners, well owners, public agencies, etc.). And in many other basins around the state that have not reached the stress level of probation or adjudication, Groundwater Sustainability Agencies have had to allocate available groundwater supply to achieve sustainability. In some basins, there has been as much as a 50% cutback of allocated groundwater supplies from historical use. Through a proactive approach to adopt the short-term moratorium and improve the ordinance, the Board and Yolo County will be in a much better position to avoid the difficult regulatory and court approaches that have reached our friends in other agricultural counties.

Thank you for considering these comments. Sincerely, David Sandino

DH Long Farming
PO Box 173
Zamora, CA
95698
dhlongzam@gmail.com

August 25, 2025

Re: Urgency Moratorium on Agricultural Groundwater Wells in Yolo County Focus Areas

Dear Members of the Board of Supervisors,

As farmers and landowners in Zamora, CA, we urge you to support an interim pause on new well drilling in the Yolo County Focus Areas. This is greatly needed to allow time to gather more information on understanding the hydrology of these areas and what the land can support in terms of irrigated farming. Our livelihoods and food security depend on this need.

We have watched with alarm as our water table in Zamora keeps dropping, our land keeps subsiding, and our house well went dry twice, requiring adding more columns to access groundwater. Every time a new ag well goes in within two miles of our farm, the water table drops 20-feet and does not recover.

Those of us that live in the country know our groundwater. When we turn on wells, we count the seconds it takes for water to get to the surface. In the springtime it's fast (seconds), but by the end of summer, one can count 15 to 20 seconds before the water arrives to the surface. In the past our groundwater has recovered on our farm in Zamora, but with all the development of non-historically irrigated lands going into irrigated production, with multiple new wells, it's not happening.

We've had a wet 3-years; drought will eventually follow. What would be best is to match the hydrological findings with long-time grower experience for verification of information gathered. This will take time.

We respectfully ask you to please give our communities more time to assess our groundwater levels to ensure sustainable use. Please grant a moratorium on new well drilling for 45 days, with a potential extension up to 22 months. Our livelihoods are in your hands.

Thank you,

Rachael and David Long

Paula Hugi

From: Paul Muller <paul@fullbellyfarm.com>
Sent: Monday, August 25, 2025 9:00 PM
To: Clerkoftheboard
Subject: Focus Area well Moratorium

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August 20, 2025

To Chairperson Sandy and members of the Yolo County Board of Supervisors,

I am writing in support of a moratorium for new well permits for the impact area of Hungry Hollow and west Dunnigan Hills. As a Farm Bureau member and Yolo County farmer, I am concerned that there needs to be precedent and policy for clear process to address new wells and increased pumping in farming regions that are experiencing well stress and dropping groundwater levels.

While the Farm Bureau's point of needing to address supply with proactive projects targeting greater water retention, winter infiltration, use of surface water to refill depleted basins, and new looks at storage both above ground and below ground -are important points, the reality of the moment is that the Focus Areas of Hungry Hollow an Dunnigan Hills are identified as being stressed. The continued approach to permitting wells for developing irrigated agriculture on previously non irrigated parcel puts existing wells at risk.

Their argument about scarcity being best addressed with new water development works until there is scarcity. Anticipating scarcity by avoiding processes that exacerbate scarcity is the only salient pathway until new projects can be implemented to bolster groundwater supplies in the area so

that the very real drop in groundwater levels experienced by residents and farmers in this region does not continue.

A moratorium on new wells that are being drilled to provide water to previously unirrigated lands in the Hungry Hollow region allows the Board and Department of Environmental Health time to ascertain that a sustainable and equitable set of policies be developed based on an evolving body of information about the character of underground water strata in this area. The science-based approach will allow consideration of equitable and just access to a limited resource.

Many of the proactive water development solutions for this region will depend upon the movement of excess Cache Creek water north into this basin. This assumes Cache Creeks dependability in providing that excess. Yolo County Flood Control has estimated dependability in 7 of 10 years. If new wells are allowed and the water is sent north to bolster groundwater levels in this area, in those years when there is no excess water from Cache Creek, the new wells will be relied upon to provide even more of the water needed to irrigate planned perennial crops. This will further accelerate the drawdown of ground water being presently experienced.

I encourage the Yolo County Board of Supervisors to create a moratorium on new well development in the Focus area of Hungry Hollow and Dunnigan hills until it is clear that further extraction on previously un-irrigated lands will not exacerbate the loss of critical water resources and threaten the viability of existing irrigated parcels, farms, and homes in this region.

Sincerely,

Paul Muller

Full Belly Farm



RUSSELL A. FRINK
rfrink@kmtg.com

August 25, 2025

VIA EMAIL

Yolo County Board of Supervisors
E-Mail: clerkoftheboard@yolocounty.gov

Re: August 26, 2025 Board of Supervisors Meeting Agenda Item No. 37 - Consideration of a 45-Day Well Drilling Permit Moratorium

Dear Chair of the Board and Members of the Yolo County Board of Supervisors:

I am writing on behalf of Boundary Bend Olives, Inc. regarding Agenda item No. 37 for the August 26, 2025 Board of Supervisors Meeting. Agenda item No. 37 proposes to enact an urgency ordinance that would place a 45-day moratorium on all new permits for agricultural wells within a specific portion of the County referred to as the "Focus Area." If adopted, this urgency ordinance can be extended for an additional 10 months and 15 days following a public hearing on October 7, 2025.

In effect, Agenda Item No. 37 asks this Board to halt all work on pending well permit applications and rewrite the rules for these pending applications **less than a year** after it adopted an entirely new permitting program. This existing program was developed by geotechnical experts and County staff with input from stakeholders. Now, without any new data about the efficacy of this new permitting program, Agenda Item No. 37 proposes slamming the brakes on all agricultural investment within the Focus Area so that County staff can engage in undefined studies regarding existing and future agricultural land uses. This whiplash approach to policy making, brought about without any meaningful data on the existing program, raises serious concerns for constituents that want clear rules in place that are supported by the best available science.

The immense harm that this moratorium will have on agricultural development is not discussed at all in the staff report, despite it being one of the foremost considerations for the Board when considering this course of action. The first research deliverable highlighted in the staff report, a water budget and white paper on the Hungry Hollow region, won't be completed until April 2026. The staff report did not identify any other specific studies, or forecast a reasonable timeframe to conduct studies, making it inevitable that all new agricultural development will be delayed an additional 10 ½ months on October 7, 2025.

Importantly, the explicit statutory purpose of the Yolo Subbasin Groundwater Authority ("YSGA") is to evaluate overlying land uses within the basin and determine policies to ensure that those land uses are carried out consistently with groundwater sustainability goals. Item No. 37 proposes a heavy-handed approach to regulating groundwater use that seeks to duplicate or second guess – as opposed to supplement – the governance responsibilities that have been explicitly delegated to the YSGA. This duplication of roles spreads public resources thin and creates added uncertainty for stakeholders.

Yolo County Board of Supervisors
August 25, 2025
Page 2

In conclusion, the proposed well drilling moratorium is unsupported by data, represents a whiplash approach to governance, and appears to establish processes that are redundant to YSGA's ongoing efforts to evaluate overlying water use within the basin. An indefinite moratorium with no clearly defined objectives will only extract financial harm and does nothing to focus on the ultimate solutions to these problems, which involve maximizing recharge opportunities and conjunctive use. Boundary Bend respectfully suggests that, instead of adopting the moratorium proposed by Item No. 37, Yolo County focus its limited resources on working with YSGA and the agricultural community to maximize recharge and conjunctive use opportunities that will result in meaningful improvements in long-term groundwater sustainability.

Very truly yours,

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
A Professional Corporation

A handwritten signature in blue ink, appearing to read 'R. Frink', with a stylized flourish at the end.

RUSSELL A. FRINK



Julie Dachtler

From: Nancy Lea <nancylea.ca@gmail.com>
Sent: Monday, August 25, 2025 10:05 PM
To: Julie Dachtler
Subject: Item 37. Comment Email: Yolo County Process by which Well Permits are Issued

CAUTION: External Sender. Please do not click on links or open attachments from senders you do not trust.

Dear Ms. Dachtler:

Please provide the Members of the Board of Supervisors with my comment tomorrow morning before the Meeting.

Thank you.

Nancy Lea

Dear Members of the Board of Supervisors:

I would appreciate it if you would review these comments before this agenda item is decided.

I am Nancy Lea: my husband Bob and I farmed walnuts north and west of Woodland for almost 50 years. We now lease our land for row crops.

Our well experience is limited: we drilled one well on a ranch we still own: we understand the process. We are lawyers and although we are not engaged in active law practices we are licensed in California.

We have familiarity with Administrative Law. We have talked with many farmers who farm in/near Yolo County areas with groundwater challenges. We have attempted to ascertain their concerns and their personal experiences with the Yolo County well permitting process. We are familiar with the issues surrounding the issuance of well permits in areas with groundwater challenges.

We have as the "well gate keeper" a county administrative process that issues well permits. If it is not run with widely accepted well executed checks and balances, it risks causing damage to not only the landowners who need well permits, and those who have concerns about the impact of those new wells, but the Yolo County concerned public who in turn could lose confidence in our County government.

Our concerns about the process have been garnered from the conversations noted above: allegations have been made that Yolo County EH "accepts" documents filed by "professionals" who may not be known or "vetted" by Yolo County administrators; there may have been erroneous (false?) information passed to the County on some of these well applications. We believe the County has an obligation to ensure that applications for a new well in a conversion from non-irrigated to irrigated or applications to install a "replacement well", have the specific required information etc. filed by professionals who are known by and have the confidence of the Yolo County EH Department as to their competency and credibility. This seems obvious in instances where there is a potential of damage to adjacent landowners if erroneous information is used as the predicate for replacement irrigation well decisions. I note the Glenn County ordinance, attached as an exhibit to the Staff Report, requires all information be reviewed by a County retained consultant to ensure integrity and presumably consistency in the process. (See, Glenn County Ordinance section 20-.08.090).

We are looking at an administrative process that, if mishandled, will cause great damage to Hungry Hollow, a historical agricultural area in Yolo County, which is home to unique crops and methodologies, along with other groundwater challenged areas in our County.

It has been said that a governmental process should be "efficient, cost-effective, legal, accurate, consistent, reputable and credible":

We trust that these are the guidelines for the Yolo County Well Permitting process.

Nancy Lea



County of Yolo

BOARD OF SUPERVISORS

625 Court Street, Room 204
Woodland, California 95695-1268
(530) 666-8195 FAX (530) 666-8193
www.yolocounty.gov

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Third District – **Mary Vixie Sandy**
Fourth District – **Sheila Allen**
Fifth District – **Angel Barajas**

County Administrator – Michael Webb
Senior Deputy Clerk of the Board – Julie Dachtler

LEGAL NOTICE BOARD OF SUPERVISORS NOTICE OF

URGENCY ORDINANCE SUMMARY

The Yolo County Board of Supervisors will receive public comment and will consider the introduction, waiver of reading, and possible adoption of an urgency ordinance at its Regular Board meeting on **Tuesday, August 26, 2025** beginning at 9:00 a.m. at 625 Court Street, Room 206, Woodland, CA, 95695 entitled:

**AN INTERIM URGENCY ORDINANCE OF THE YOLO COUNTY BOARD OF SUPERVISORS
ESTABLISHING A TEMPORARY 45-DAY MORATORIUM ON THE APPROVAL OF NEW
AGRICULTURAL WATER WELL PERMITS IN THE YOLO SUBBASIN GROUNDWATER
MANAGEMENT AGENCY'S FOCUS AREAS, WITH SPECIFIED EXEMPTIONS, PENDING THE
COUNTY'S STUDY AND CONSIDERATION OF WELL PERMIT AND CROP CONVERSION
REGULATIONS**

The 45-day moratorium is necessary to temporarily pause the issuance of new agricultural water well permits in the denoted Focus Areas established by the Yolo Subbasin Groundwater Agency (YSGA) to allow the County to consider additional well permit requirements and potential regulations governing crop conversions in agricultural zones to protect against the effects of such demand hardening on groundwater resources.

Domestic wells (wells producing less than two acre-feet per year for individual domestic water use), public supply system wells as defined in Health & Safety Code § 116275, monitoring wells or other wells not intended for extraction of groundwater, and minor alterations to certain existing wells are exempt from the temporary moratorium.

Persons interested in this matter are encouraged to appear at the public hearing on Tuesday, August 26, 2025, and to offer comments during the course of the hearing. Those wishing to appear may do so in-person or by submitting written comments by 4:00 p.m. the Monday prior to the public hearing to provide Board Members and interested members of the public a reasonable opportunity to review comments in advance of the meeting. Any written comments received by 4:00 p.m. will be available as an attachment corresponding with the agenda item; the agenda and staff report will be posted at least 72 hours prior to the meeting (www.yolocounty.gov). Written comments should be sent to Clerk of the Board, 625 Court Street, Room 204, Woodland, CA 95695 or emailed to clerkoftheboard@yolocounty.gov.

Dated: August 20, 2025

Julie Dachtler, Senior Deputy Clerk
Yolo County Board of Supervisors

THE DAVIS
enterprise

PROOF OF PUBLICATION
(2015.5 C.C.P.)

Proof of Publication

STATE OF CALIFORNIA
County of Yolo

I am a citizen of the United States and a resident of the County aforesaid; I'm over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am principal clerk of the printer at the Davis Enterprise, 315 G Street, a newspaper of general circulation, printed and published Sunday, and Wednesday, in the City of Davis, County of Yolo, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court to the County of Yolo, State of California, under the date of July 14, 1952, Case Number 12680; that the notice, of which the annexed is a printed copy (set in type no smaller than non-pareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

8/20, 2025

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Davis, California, this 20 day of August, 2025.

M. Gracie Solano

M. Gracie Solano
Legal Advertising Clerk

August 20, 2025

BY Julie Dachtler
DEPUTY CLERK OF THE BOARD

Proof of Publication

LEGAL NOTICE
BOARD OF SUPERVISORS
NOTICE OF URGENCY ORDINANCE SUMMARY

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Dated: August 20, 2025

Julie Dachtler, Senior Deputy Clerk
Yolo County Board of Supervisors

8/20/25 #83533



COUNTY OF YOLO

Board of Supervisors

District 1, **Oscar Villegas**
District 2, **Lucas Frerichs**
District 3, **Mary Vixie Sandy**
District 4, **Sheila Allen**
District 5, **Angel Barajas**

625 Court Street, Room 204 ▪ Woodland, CA 95695
(530) 666-8195 ▪ FAX (530) 666-8193
www.yolocounty.gov

County Administrator, **Mike Webb**
Sr. Deputy Clerk of the Board, **Julie Dachtler**

PUBLIC NOTICE

ADOPTED ORDINANCE NO. 1576

NOTICE is hereby given that at its regularly scheduled meeting of August 26, 2025, the Yolo County Board of Supervisors adopted Ordinance No. 1576, an Interim Urgency Ordinance establishing a temporary 45-day moratorium on the approval of new agricultural water well permits in the Yolo Subbasin Groundwater Management Agency's Focus Areas, with specified exemptions, pending the County's study and consideration of well permit and crop conversion regulations.

The 45-day moratorium is necessary to temporarily pause the issuance of new agricultural water well permits in the denoted Focus Areas established by the Yolo Subbasin Groundwater Agency (YSGA) to allow the County to consider additional well permit requirements and potential regulations governing crop conversions in agricultural zones to protect against the effects of such demand hardening on groundwater resources.

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The Ordinance was adopted by the following vote:

AYES: Allen, Barajas, Villegas, Frerichs, Vixie Sandy.

NOES: None.

ABSENT: None.

ABSTAIN: None.

A copy of the full text of the Ordinance is available at www.yolocounty.gov > Board Agendas or at the Clerk of the Board of Supervisors Office, 625 Court Street, Room 204, Woodland, CA 95695.

Dated: August 31, 2025

Julie Dachtler, Senior Deputy Clerk
Yolo County Board of Supervisors